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PROCEEDINGS AND DEBATES OF THE 86th CONGRESS, FIRST SESSION

SENATE

MONDAY, FEBRUARY 2, 1959

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

Our Father God, in the fresh mercies of yet another day we come with hearts grateful for Thy grace, praying that, by a strength not our own, our individual record may be kept unstained by any word or act unworthy of our best.

Thou knowest that these testing times are finding out our every weakness and calling for our utmost endeavor against the wrong that needs resistance, and for the right that needs assistance.

Make us ever aware that in the most fateful struggle in human history

We are watchers of a beacon whose light must never die;
We are guardians of an altar that shows Thee ever nigh;
We are children of Thy freemen who sleep beneath the sod;
For the might of Thine arm we bless Thee: Our God, our fathers' God.

Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 29, 1959, was dispensed with.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of January 29, 1958, the following reports of committees were submitted on January 30, 1959:

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

S. Con. Res. 2. Concurrent resolution continuing the Joint Committee on Washington Metropolitan Problems (Rept. No. 15);

S. Con. Res. 5. Concurrent resolution to print additional copies of a committee print entitled "Briefing on the Investment Act";

S. Res. 7. Resolution authorizing the Committee on Post Office and Civil Service to employ a temporary additional clerical assistant;

S. Res. 8. Resolution authorizing the Committee on Post Office and Civil Service to investigate certain matters within its jurisdiction (Rept. No. 23);

S. Res. 16. Resolution authorizing the Select Committee on Small Business to investigate certain small and independent business problems (Rept. No. 24);

S. Res. 20. Resolution authorizing the Committee on Banking and Currency to investigate certain matters within its jurisdiction (Rept. No. 20);

S. Res. 26. Resolution authorizing the Committee on Armed Services to investigate certain matters within its jurisdiction (Rept. No. 16);

S. Res. 30. Resolution authorizing the Committee on Foreign Relations to employ certain additional personnel (Rept. No. 17);

S. Res. 31. Resolution to authorize a study of U.S. foreign policy, with special reference to Latin American and Canadian affairs, and the problems of world disarmament (Rept. No. 18);

S. Res. 32. Resolution providing assistance to Members of the Senate in the discharge of their responsibilities in connection with visits to the United States by foreign dignitaries, and for other purposes (Rept. No. 19);

S. Res. 43. Resolution authorizing the Committee on Government Operations to investigate the administration of all branches of the Government (Rept. No. 14);

S. Res. 44. Resolution continuing the Select Committee on Improper Activities in the Labor or Management Field (Rept. No. 13);

S. Res. 49. Resolution authorizing the Committee on Labor and Public Welfare to employ temporarily additional staff and clerical personnel (Rept. No. 37);

S. Res. 52. Resolution to investigate problems of certain foreign countries arising from flow of escapees and refugees from Communist tyranny (Rept. No. 33);

S. Res. 53. Resolution authorizing an investigation of the administration of the Patent Office (Rept. No. 30);

S. Res. 54. Resolution to investigate juvenile delinquency in the United States (Rept. No. 29);

S. Res. 55. Resolution to investigate matters pertaining to immigration and naturalization (Rept. No. 26);

S. Res. 56. Resolution to investigate the administration of the Trading With the Enemy Act (Rept. No. 32);

S. Res. 57. Resolution authorizing an investigation of the antitrust and monopoly laws of the United States (Rept. No. 27);

S. Res. 58. Resolution authorizing a study of matters pertaining to constitutional amendments (Rept. No. 28);

S. Res. 59. Resolution authorizing an investigation of the administration of the national security law and matters relating to espionage (Rept. No. 25);

S. Res. 60. Resolution authorizing an investigation of the national penitentiaries (Rept. No. 34);

S. Res. 61. Resolution authorizing a study of administrative practice and procedure in Government departments and agencies (Rept. No. 36);

S. Res. 62. Resolution authorizing a study of matters pertaining to constitutional rights (Rept. No. 31); and

S. Res. 63. Resolution authorizing a study of matters pertaining to the revision and codification of the statutes of the United States (Rept. No. 35).

By Mr. HENNINGS, from the Committee on Rules and Administration, with an amendment:

S. Res. 11. Resolution authorizing the Committee on Banking and Currency to investigate certain matters pertaining to public and private housing (Rept. No. 21).

By Mr. HENNINGS, from the Committee on Rules and Administration, with amendments:

S. Res. 42. Resolution authorizing the Committee on Government Operations to make a complete study of all matters pertaining to international activities of the executive branch (Rept. No. 22).

MEMBERS FOR JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE ON THE LIBRARY

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 68) providing for Members on the part of the Joint Committee on Printing and the Joint Committee of Congress on the Library, which was placed on the calendar, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following joint committees of Congress:

Joint Committee on Printing: Mr. HAYDEN, of Arizona; Mr. HENNINGS, of Missouri; and Mr. MORTON, of Kentucky.

Joint Committee of Congress on the Library: Mr. GREEN, of Rhode Island; Mr. HENNINGS, of Missouri; Mr. JORDAN, of North Carolina; Mr. MORTON, of Kentucky; and Mr. KEATING, of New York.

EXPENDITURES AND EMPLOYMENT OF TEMPORARY PERSONNEL BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 69) authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel, and submitted a report (No. 12) thereon; which resolution was placed on the calendar, as follows:

Resolved, That the Committee on Rules and Administration, 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—

(1) the election of the President, Vice President, or Members of Congress;
(2) corrupt practices;
(3) contested elections;
(4) credentials and qualifications;
(5) Federal elections generally;
(6) Presidential succession.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, is authorized to (1)

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 priort 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 $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

REPORT ENTITLED "MEETING THE PROBLEMS OF METROPOLITAN GROWTH IN THE NATIONAL CAPITAL REGION" (S. REPT. NO. 38)

Under authority of the order of the Senate of January 29, 1959, Mr. BIBLE, on January 31, 1959, from the Joint Committee on Washington Metropolitan Problems, pursuant to House Concurrent Resolution 172, 85th Congress, submitted the final report of that joint committee entitled "Meeting the Problems of Metropolitan Growth in the National Capital Region," which was printed.

MESSAGES FROM THE PRESIDENT

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

REPORT ON AERONAUTICS AND SPACE ACTIVITIES — MESSAGE FROM THE PRESIDENT (H. DOC. NO. 71)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

Transmitted herewith, pursuant to section 206(b) of the National Aeronautics and Space Act of 1958, is the first annual report on the Nation's activities and accomplishments in the aeronautics and space fields. This first report covers the year 1958.

The report provides an impressive accumulation of evidence as to the scope and impetus of our aeronautical and space efforts. Equally impressive is the report's description of the variety of fields being explored through the ingenuity of American scientists, engineers, and technicians.

The report makes clear that the Nation has the knowledge, the skill, and the will to move ahead swiftly and surely in these rapidly developing areas of technology. Our national capability in this regard has been considerably enhanced by the creation and organization of the National Aeronautics and Space Administration.

The report sets forth a record of solid achievement in a most intricate and exacting enterprise. In this record the Nation can take great pride.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

EXTENSION OF TIME WITHIN WHICH COMMITTEE ON BANKING AND CURRENCY MAY FILE ITS REPORT ON THE HOUSING BILL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Banking and Currency may have until midnight to file its report on the housing bill, and that any members of the committee who may wish to file individual views may have the same privilege.

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

SUBCOMMITTEE MEETING DURING SENATE SESSIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Labor Subcommittee of the Committee on Labor and Public Welfare be permitted to meet during the sessions of the Senate during this week from February 2 to February 6.

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

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nomination on the Executive Calendar.

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

EXECUTIVE MESSAGES REFERRED

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

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

The VICE PRESIDENT. If there be no reports of committees, the nomination on the calendar will be stated.

MISSISSIPPI RIVER COMMISSION

The Chief Clerk read the nomination of Maj. Gen. Keith R. Barney, U.S. Army, to be a member of the Mississippi River Commission.

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

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

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

LEGISLATIVE SESSION

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

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

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I wish to give notice that later in the day we shall expect to have the Senate consider some resolutions reported from the Committee on Rules and Administration. I shall discuss in more detail with the minority leader the order in which the resolutions will be brought up by motion. That will depend upon the convenience of the chairman of the committee affected by the resolution taken up, the ranking minority Member, and other Members who may have a special interest in any of the resolutions. But we expect to have the Senate consider—

Calendar No. 9, Senate Resolution 68, providing for Members on the part of the Joint Committee on Printing and the Joint Committee of Congress on the Library;

Calendar No. 10, Senate Resolution 69, authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel;

Calendar No. 11, Senate Resolution 44, continuing the Select Committee on Improper Activities in the Labor or Management Field;

Calendar No. 12, Senate Resolution 43, authorizing the Committee on Government Operations to investigate the administration of all branches of the Government;

Calendar No. 13, Senate Concurrent Resolution 2, continuing the Joint Committee on Washington Metropolitan Problems;

Calendar No. 14, Senate Resolution 26, authorizing the Committee on Armed Services to investigate certain matters within its jurisdiction;

Calendar No. 15, Senate Resolution 30, authorizing the Committee on Foreign Relations to employ certain additional personnel;

Calendar No. 16, Senate Resolution 31, to authorize a study of U.S. foreign policy, with special reference to Latin American and Canadian affairs, and the problems of world disarmament;

Calendar No. 17, Senate Resolution 32, providing assistance to Members of the Senate in the discharge of their re-

sponsibilities in connection with visits to the United States by foreign dignitaries, and for other purposes;

Calendar No. 18, Senate Resolution 20, authorizing the Committee on Banking and Currency to investigate certain matters within its jurisdiction;

Calendar No. 19, Senate Resolution 11, authorizing the Committee on Banking and Currency to investigate certain matters pertaining to public and private housing;

Calendar No. 20, Senate Resolution 42, authorizing the Committee on Government Operations to make a complete study of all matters pertaining to international activities of the executive branch;

Calendar No. 21, Senate Resolution 7, authorizing the Committee on Post Office and Civil Service to employ a temporary additional clerical assistant;

Calendar No. 22, Senate Resolution 8, authorizing the Committee on Post Office and Civil Service to investigate certain matters within its jurisdiction;

Calendar No. 23, Senate Resolution 16, authorizing the Select Committee on Small Business to investigate certain small and independent business problems;

Calendar No. 24, Senate Resolution 59, authorizing an investigation of the administration of the national security law and matters relating to espionage;

Calendar No. 25, Senate Resolution 55, to investigate matters pertaining to immigration and naturalization;

Calendar No. 26, Senate Resolution 57, authorizing an investigation of the antitrust and monopoly laws of the United States;

Calendar No. 27, Senate Concurrent Resolution 5, to print additional copies of a committee print entitled "Briefing on the Investment Act";

Calendar No. 28, Senate Resolution 58, authorizing a study of matters pertaining to constitutional amendments;

Calendar No. 29, Senate Resolution 54, to investigate juvenile delinquency in the United States;

Calendar No. 30, Senate Resolution 53, authorizing an investigation of the administration of the Patent Office;

Calendar No. 31, Senate Resolution 62, authorizing a study of matters pertaining to constitutional rights;

Calendar No. 33, Senate Resolution 56, to investigate the administration of the Trading With the Enemy Act;

Calendar No. 33, Senate Resolution 52, to investigate problems of certain foreign countries arising from flow of escapees and refugees from Communist tyranny;

Calendar No. 34, Senate Resolution 60, authorizing an investigation of the national penitentiaries;

Calendar No. 35, Senate Resolution 63, authorizing a study of matters pertaining to the revision and codification of the statutes of the United States;

Calendar No. 36, Senate Resolution 61, authorizing a study of administrative practice and procedure in Government departments and agencies; and

Calendar No. 37, Senate Resolution 49, authorizing the Committee on Labor and Public Welfare to employ temporarily additional staff and clerical personnel.

So far as I am aware, these resolutions were reported by the respective committees having jurisdiction, referred to the Committee on Rules and Administration, and then were favorably reported by the latter committee, I believe unanimously. If I am in error, I shall correct that statement later in the day. The rule has been complied with.

I ask the attachés on both sides of the aisle to inform the interested Senators that, at the conclusion of the morning hour, it will be our intention to have the Senate proceed to the consideration of some of these resolutions.

RESIGNATION OF SENATOR GREEN AS CHAIRMAN OF THE COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, last Friday the Senate learned of the resignation of the distinguished Senator from Rhode Island [Mr. GREEN] as chairman of the Committee on Foreign Relations. During the years of his tenure, the committee handled many matters of vital importance to the Nation. It handled them well. It handled them with dispatch. No member of the committee contributed more diligently to the building of that record than did its outstanding chairman.

For those who have been associated with the Senator from Rhode Island in the Committee on Foreign Relations, his resignation can only be a source of mixed feelings. On the one hand, we are reluctant to lose his leadership. On the other hand, we do not wish to have him overtax his energies, no matter how formidable the challenges may be.

The members of the committee who were present when the Senator from Rhode Island tendered his resignation know how his colleagues tried to dissuade him. There was far more to that effort than mere ritual. There was in it deep affection, deep respect, and deep appreciation for his dedicated service.

Few Members of this body even begin to approach the fine Senator from Rhode Island in fullness of years. For that alone, he might have the special place which he holds among us. But it is not for that alone that we so highly regard him. His place in our hearts and in our midst derives from something more. It derives from his keen intelligence, his brilliant wit, his unfailing ability to draw the meaningful out of the vague.

The able Senator from Rhode Island has used time to accumulate more than years. He has used it to gather understanding and to sharpen his wisdom. We may, indeed, count ourselves fortunate if, at the end of our lives, our cups contain half as much of understanding and wisdom as his does now.

And the Senator from Rhode Island is not nearly at the end of the road. As a matter of fact, his response to these words is likely to be, "For heaven's sake, do not eulogize me; I'm not leaving the Senate until I am at least a hundred."

I say to the Senator that is splendid with us. We want the Senator from Rhode Island to go on for many years. We want him to continue to gather experiences at home and all over the world. We want him to remain, as he has ever been, always a source of new ideas and fresh thought. We want him to contribute out of his great fund of human feeling and acute intelligence, which is his life, to the work of the committee, to the Senate, and to the Nation. The State of Rhode Island needs him. The Nation needs him. We will need him until he is 100, and perhaps beyond.

Mr. WILEY. Mr. President, I rise to pay tribute to one of the Senate's most distinguished and respected Members, and to call the attention of the Senate and the country to his long public service and his outstanding record as chairman of the Committee on Foreign Relations.

It has been said that he lacks the physical capacity to discharge his duties. During the 2-year period while the senior Senator from Rhode Island has been chairman, the committee met 184 times. He has patiently presided over all but a dozen of these meetings. In addition, as ex officio member of each subcommittee, he has attended no less than 50 subcommittee meetings during this period. And, of course, when appointed a conferee, he took active part in House-Senate conferences on foreign relations matters.

This record does not bespeak a lack of vigor. In fact, it puts many of us to shame.

In 1957, his first year as chairman of the Foreign Relations Committee, the senior Senator from Rhode Island, personally visited the capitals of our 14 NATO allies during an arduous 2-month grind that took him from Ottawa, to Reykjavik, to Ankara, with a strenuous 5-day conference of NATO parliamentarians wedged in. He served as chairman of the Senate delegation to that conference. The year previous, he was the first U.S. Senator ever to make a complete tour of Africa, passing through such unlikely places as Khartoum, Addis Ababa, Nairobi, Pretoria, Leopoldville, Accra, and Monrovia. I daresay that not many of his younger colleagues would voluntarily expose themselves to the discomforts of such a safari. It is well known that the staff member who accompanied him in this ordeal retreated to his bed for several days, while the senior Senator from Rhode Island went forth to campaign in his home State. I advise those who would question his physical capacity to try to keep up with him for just 1 day.

It has also been stated that my distinguished colleague no longer has the mental vigor to discharge his duties as chairman of the Committee on Foreign Relations.

As chairman he has brought forth new ideas and improved that committee's procedures for dealing with its staggering workload.

In 1957, convinced that the customary early January briefing by the Secretary of State on the position of the United States in the world did not elicit sufficient and detailed information on which committee members might form intelligent appraisals, the committee under the chairmanship of the senior Senator from Rhode Island initiated a

series of public hearings at which Government and non-Government witnesses testified on the major challenges faced by the United States and on the geographic areas of deepest concern to us. From these hearings emerged the belief that the time had come for an exploration in depth of U.S. foreign policies throughout the world. As a consequence, the distinguished chairman of the Committee on Foreign Relations sponsored a resolution directing the committee to arrange for exhaustive studies to be made of the extent to which the foreign policy of the United States advances, fails to advance, or can be made to advance the security and well-being of the people of the United States. The arrangements for this study are now progressing satisfactorily under the able leadership of the senior Senator from Rhode Island.

This year, the chairman sharpened the committee's procedure even further by proposing to the President that the Secretary's beginning-of-the-session briefing "be supplemented by testimony concerning the state of our military defenses and the state of our economic relations with the rest of the world. "The coordinated national estimate which such testimony would provide," wrote Senator GREEN, "seems to me to be essential to enable the committee intelligently to consider foreign policy issues that will come before the Senate this year."

I have no doubt that every member of the Committee on Foreign Relations will agree that the recently concluded briefings by the Secretary of State, John Foster Dulles; the Secretary of Defense, Neil McElroy; the Chairman of the Joint Chiefs of Staff, Gen. Nathan F. Twining; the Under Secretary of State, C. Douglas Dillon; and the Director of the Central Intelligence Agency, Allen W. Dulles, have been the most thorough, penetrating, and frank discussions that the Committee on Foreign Relations ever had with the highest ranking members of the administration. I express to the chairman the sincere gratitude of the committee for having made possible these invaluable conferences.

Senator GREEN has also improved the committee's procedures with respect to nominations in two ways. In the first place, on the committee's behalf, he made clear to the Secretary of State that the committee desired generally to meet personally with ambassadorial and other nominees and that it viewed with misgivings the sending or transferring of ambassadors from one post to another without giving the committee the opportunity for this personal contact. In the second place, the senior Senator from Rhode Island questioned the committee's practice of routinely approving all appointments to the lowest class of the Foreign Service, without personally satisfying itself of the quality of what might be termed the freshman class of Foreign Service officers—the future ambassadors. At his suggestion, in the past 2 years, the committee has called before it 1 out of every 10 nominees to class 8 of the Foreign Service. The experience has been as valuable for these young people as it has for the committee.

I would like to cite just one last example of mental vigor of my respected colleague. With his usual astute instinct for bringing order out of disorder, he sponsored last year a resolution to enable the Senate to meet with dignity its responsibilities toward visiting foreign legislators and high government officials of other countries. Many of us have increased our understanding of other nations' problems through these valuable informal contacts with foreign legislators and officials.

Finally, it has been said that the senior Senator from Rhode Island has lacked the depth of insight necessary to discharge his duties as the national interest demands. Those who make this statement cannot have read any of his penetrating reports on his study missions, or listened to his important speeches, or followed his major correspondence with the President.

These make good reading and will stand up well under the test of time. I do not believe that any of the distinguished Senator's critics could show deeper insight and a greater grasp of world problems.

The senior Senator from Rhode Island has also been in the forefront of those of us who have been concerned about our foreign aid program—particularly about the amount of it devoted to military ends. His concern led to an exchange of letters, signed by several members of the committee, with the President in which we wrote:

> We do believe, * * * as individual Members of the Senate with some experience and understanding of the program and a full appreciation of its importance, that with respect to the less developed countries there is a serious distortion in the present relative importance which is attached to military and related aid on the one hand and technical assistance and self-liquidating economic development assistance on the other. * * *
>
> We urge most respectfully that you study the mutual security program. It may be that such a study will lead you, Mr. President, as it has led us, to the conclusions that the principal and most costly shortcoming in the mutual security program remains as it has been for some time—the failure to emphasize military aid less and to stress economic aid and technical assistance more.

I know that my respected colleague must be extremely gratified that, as a result of this correspondence, the President has now created a committee of distinguished private citizens to examine the foreign aid program with a view toward giving it a new direction and fresh purpose.

I could go on much longer with examples of the depth of insight which, it was averred, the senior Senator from Rhode Island lacks. I know of few men that have a better understanding of the deep forces that motivate countries and peoples. I am very glad that the Committee on Foreign Relations will continue to have the benefit of his wisdom.

In conclusion, Mr. President, I ask unanimous consent that a number of articles commendatory of my colleague from Rhode Island be printed in the RECORD at this point.

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

[From the Washington Post, May 28, 1957]

GREEN HAILED IN SENATE AS ITS OLDEST TO SERVE

Senator THEODORE FRANCIS GREEN, Democrat, Rhode Island, that energetic and much-publicized marvel of mortal obstinacy, yesterday became the oldest man ever to serve in the U.S. Congress.

He showed up, as usual, right on time. It was 9:59 a.m. He was 1 minute early for the meeting of the Senate Foreign Relations Committee, of which he is boss, and he was 89 years, 7 months and 26 days old. You'd never know it.

He'd had a minor disappointment on the way to work. He prefers to walk the mile and a half from the University Club, but someone had given him a ride. Rankling over this, the small, neat man, peering happily through his rimless glasses, even disputed the fact he is the oldest man to serve in Congress. If you listen to him, the great day doesn't arrive until May 30.

AND A CAKE, TOO

But his colleagues, who usually do listen, didn't do it this time. They plunged into eulogy and nostalgia. There was even a cake.

And, even though he did think it was the wrong day for all this, the elderly legislator who gave up tennis recently not because he was tired but because "I didn't have the time" and who thinks golf is "an old man's game," no matter what the White House view is, gave in to the celebration.

ENJOYS A GOOD FIGHT

Senate Majority Leader LYNDON JOHNSON of Texas started the floor-flurry of praise. Senate Minority Leader William M. Knowland echoed JOHNSON'S sentiments. Senator JOHN O. PASTORE, Democrat, Rhode Island, was nostalgic. Other Senators offered up a bipartisan paean of praise.

But GREEN was not misled. The man who came to the Senate 20 years ago, at an age when lesser mortals are deep in retirement or the grave, knows the Senate isn't always, or even often, a place of peace.

"Hmmmm," he said, "I rise not to make a speech, but to express my heartfelt thanks. I don't notice much difference in myself when I came to the Senate 20 years ago. I've enjoyed it, but that's because I always enjoy a good fight."

Though it now seems certain he has at last beaten the mark set by Representative Charles Stedman, of North Carolina, who died in office in 1930, GREEN is not resting on his laurels. He wants to be in the Senate when he's 100.

[From the Christian Science Monitor, May 28, 1957]

GREEN'S AGE SETS CONGRESS RECORD

WASHINGTON.—On May 27 at 9:59 a.m., a small, neat man, his eyes atwinkle behind rimless glasses, hurried into room F-53 of the Capitol.

As usual, Senator THEODORE FRANCIS GREEN, Democrat, of Rhode Island, was right on time. The hearing of the Senate Foreign Relations Committee, of which he is chairman, was scheduled to start at 10. As usual, he was the first Senator to arrive.

About the only thing unusual was that on this day, when Senator GREEN was 89 years, 7 months, and 26 days old, he became the oldest man ever to serve in the United States Congress, House or Senate.

Nature failed to cooperate with him on this great occasion. The day started off on a drizzly note.

RUEFUL ABOUT RIDE

Senator GREEN is fond of exercise—(he recently gave up tennis, not because it's too

strenuous but because he no longer has the time)—and he started to walk to work as is his habit. After all, it's only a mile and a half from the University Club, where he has bachelor quarters, to the Senate.

"A friend came by in his car," Senator GREEN said, in a hurt tone. "He insisted that I get in."

There has been considerable dispute among statisticians over the exact date for Senator GREEN'S record. He even was proclaimed champion once before only to have a new name pop up.

Now it appears to be certain that Senator GREEN has beaten the record held by Representative Charles M. Stedman, of North Carolina, who passed on in office on September 23, 1930, aged 89 years, 7 months, and 25 days.

There's an endless supply of stories about the Senator.

About his frugality—he is one of the Senate's wealthiest Members, but he's not inclined to throw his money about. A cabdriver, watching Senator GREEN climb the hill toward the Capitol, said: "Look at him, always talking about exercise. The real reason he walks is to save 40 cents."

About the way he runs his committee—most chairmen diplomatically cover up absenteeism, but Senator GREEN seems to delight in calling the roll, like a stern schoolmaster checking up on his truants. "Senator so-and-so," he may sing out. And then he'll say, marking a large black checkmark, "Absent."

BUOYANT ENTHUSIASM

About the enthusiasm he shows on his foreign travels—once in Greece, committee members were so worn out they all agreed to sleep late. When they finally got ready to go to the Acropolis, Senator GREEN could not be found. Regretfully, they went on without him.

When they arrived, there he was, poking about the ruins. He had got up for an early morning swim and then had hiked to the Acropolis.

About the advantages of old age—during tedious speeches it's often an effort to stay awake in the Senate. Reporters sometimes have noted enviously, that Senator GREEN contentedly closes his eyes and settles down. No one can prove that he's sleeping, of course, but he certainly gives his eyes a prolonged rest.

Any young man likes to look to the future, and Senator GREEN is no exception. His present goal: To be in the Senate when he's 100.

He may make it too, for his viewpoint seems to be eternally youthful. He once was asked if he ever considered playing golf.

"No," he said, and explained why. "It's an old man's game."

[From the New York Herald Tribune, May 28, 1957]

HE'S OLDEST CONGRESSMAN EVER—PERENNIALLY YOUNG SENATOR GREEN AT ALMOST 90 BEATS LONGEVITY RECORD

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UNUSUAL MILESTONE

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"A friend came by in his car," Senator GREEN said, in a hurt tone. "He insisted that I get in."

There has been considerable dispute among statisticians over the exact date for Senator GREEN'S record. He even was proclaimed champ once before only to have a new name bob up.

Now it appears to be certain that Senator GREEN has beaten the record held by Representative Charles M. Stedman, of North Carolina, who died in office on September 23, 1930, aged 89 years, 7 months and 25 days.

Senator GREEN'S present goal—to be in the Senate when he's 100. He may make it, too, for his viewpoint seems to be eternally youthful. He once was asked if he ever considered playing golf. "No," he said, "it's an old man's game."

SENATOR GREEN HEADS FOR 100

[From the New York Herald Tribune, May 29, 1957]

As of today Rhode Island can claim another distinction to go along with its status as the smallest State in the Union. It is represented by the oldest man ever to serve in Congress—Senator THEODORE FRANCIS GREEN. Neither of these statistical distinctions operates against the well-being of "Little Rhody"—as the State is officially nicknamed. Indeed, its 89-year-old Senator has had an unusually active and distinguished career, as Governor as well as legislator, and today he heads the Senate Foreign Relations Committee in an effective and respected manner.

Despite his years Senator GREEN is a long way from holding a record tenure in Congress. He didn't run for the Senate until 1936, when he was 69, and so has served in Washington for a mere 20 years. The late Joseph G. Cannon, of Illinois, who spent 46 years in the House of Representatives, holds the congressional endurance record—a record which faces a challenge, incidentally, from Senator CARL HAYDEN, of Arizona, who is still going strong after 45 years in Congress. In age Senator HAYDEN is a spry 79.

Canny politician that he is, Senator GREEN refuses to single out ony specific factor as responsible for his longevity. He won't ascribe it to the fact that he never marrried. Nor will he claim vegetarianism, abstemiousness, early retirement at night or any other fads as the reason. In his expansive approach to the problems of the advancing years he rather resembles Sir Winston Churchill.

Senator GREEN has been quoted as expressing a desire to stay on in the Senate until he is 100. We congratulate him on having come thus far, and will be pulling for him all the way.

[From the New York Times, June 22, 1958]

LIFE BEGINS AT 40(×2)—EIGHT NOTABLE OLDSTERS TELL HOW TO STAY YOUNG BEYOND 80

(By Arturo and Janeann Gonzalez)

THEODORE FRANCIS GREEN: A weather-stained plaque on the Brown University campus immortalizes in poetry the class of 1887. The plaque itself shows more of the ravages of time than the poem's author—Rhode Island's Senator THEODORE FRANCIS GREEN, who at 90 is head of the powerful Senate Foreign Relations Committee and the oldest man ever to serve in Congress.

Aids half his age call GREEN "Superman" or "Tarzan." The Senator, who is a bachelor, lives at the University Club when he is in Washington. He rises promptly at 6:30, reads the papers, breakfasts and gets to his office by 9. Now that he's 90, he seldom walks the mile and a half to the Senate Office Building as he used to; he takes a cab or streetcar instead. Although he is a millionaire, GREEN has owned only one automobile in his life; it plummeted right through the wooden floor of the carriage house at his Rhode Island estate the first time he brought it home.

From 9 to 10, he and his eight-man staff tackle the mail; then he heads for the day's first committee meeting. At noon he is on the Senate floor; after lunch at 1, he returns to the Senate, or goes to his office or to another committee session—wherever he is needed most. He also squeezes in several afternoon visits a week to the Senate swimming pool for exercise.

This rugged schedule represents a decrease in the Senator's previous pace. In recent years, he has climbed a 15,000-foot mountain, played a half-dozen sets of tennis a week and experimented with high diving. He toured Latin America in 1954, went around the world in 1955 and celebrated his 89th birthday in the Belgian Congo in 1956. Exercising his senatorial rights, he has been catapulted off a carrier in a jet, has served as an Army tank crewman, and has been transferred between ships at sea in a breeches buoy.

One of Washington's most sought-after guests, GREEN manfully tackles as many as five parties a night, keeping track of where he is and where he's going in the bachelor's proverbial "little black book"; he retires around 11. His death, GREEN feels, will undoubtedly be the result of Washington's heavy traffic, which he abominates. He expects he'll be run down by a careless driver during one of his walks, in which case, he wryly suggests, "I want to be carried into court on a stretcher and with my last breath make a dramatic plea for traffic safety."

THE INCREDIBLE SENATOR GREEN

[From the New York Herald Tribune, Oct. 4, 1958]

While the years are inexorable, age is nevertheless a very relative thing. Some men look old at 40, others walk jauntily at 60. A man is truly as old as he feels.

It would be hard to find a more durable specimen than Rhode Island's Senator THEODORE FRANCIS GREEN, who just celebrated his 91st birthday in Providence. As the oldest Member of the Senate, he still seems, as he has for years, untouched by age—spry, keen, vigorous, lucid. Bill Knowland said of him recently: "He may be here after all the rest of us are gone." GREEN had a medical checkup recently, and was pronounced sound as a dollar. When asked if he intended to stay in the Senate until he is 100, the Senator said cheerily: "I don't see any reason why I shouldn't. It would be very unusual if I did." But Senator GREEN is a very unusual man, besides being one of the Senate's most useful and constructive members. His friends from both sides of the aisle will wish him many happy returns.

[From the New York Times, February 1, 1959]

SENATOR GREEN RETIRES A LITTLE

Senator THEODORE FRANCIS GREEN, of Rhode Island, likes to walk the 2 miles from where he lives to where he works. At 91, he has given up some other things he liked to do, such as mountain climbing and tennis. Now, under a little friendly pressure, but mostly because he cannot see as well as he used to, or hear as well, he has relinquished the chairmanship of the Senate Foreign Relations Committee.

What he says about this is: "I felt that my own life was too filled to overflowing with things I had to do and I'd rather have more time to devote to things I didn't have to do but would like to do." What other people say about it, especially those other people

who have long been in sympathy with his warmhearted domestic policies and bipartisan foreign policy, is that it is too bad THEODORE GREEN cannot take 20 or 30 years off his age and do all over again the good work to which he has so long devoted himself.

Fortunately, the Senate and the American people will still have his experience and his wisdom at their disposal, for it is his intention to finish out his present term, and he has even hinted, with what seriousness only he knows, that he would like to spend his 100th birthday in the Senate. His comparatively youthful successor in the committee chairmanship, JAMES W. FULBRIGHT, of Arkansas, may make more difficulties for Secretary Dulles than Senator GREEN has done, but he can be counted on to be energetic, intelligent, and positive.

[From the New York Herald Tribune, Jan. 31, 1959]

SENATOR GREEN STEPS DOWN

Senator THEODORE FRANCIS GREEN, who at 91 is the oldest man to serve in the Congress of the United States, has resigned as chairman of the Foreign Relations Committee. He gave as his reasons his eyesight, affected by a cataract operation last month, and defective hearing, but at the same time hit out at misleading newspaper articles and slanted editorials by a few callous newspaper writers.

This is somewhat less than fair. The country, Republicans and Democrats alike, is proud of Senator GREEN, of his long, distinguished service and of the vigorous way in which he carries his years. It would be happy to see him attain his goal of being in his Senate seat when he reaches 100. If there is anyone who deserves the overused title of senior citizen, it is THEODORE FRANCIS GREEN, of Rhode Island.

Nevertheless, the chairmanship of the Senate Foreign Relations Committee is a demanding one. It is only natural that there should be concern over the effect of this responsibility on Senator GREEN as well as over the problems of the committee itself under his leadership. Evidently, this concern was not shared by his colleagues, who have urged him to reconsider his decision. But while raising the issue may have been a delicate task for the Providence Journal, it does not evidence callousness.

It is to be hoped that Senator GREEN, who has borne many political storms with equanimity, will recognize that this episode, while it may have been painful for him, was not inspired by malice; that those who approve his action do so with every respect for his talents and confidence in his continued service. The committee resolution which asserted that his alert mind and his vast experience in the field of foreign relations will still be available is one that will receive approval everywhere.

[From the New York Times, Jan. 31, 1959]

HON. THEODORE FRANCIS GREEN

WASHINGTON, January 30.—To make any concession to the processes of aging, no matter how small, is to Senator THEODORE FRANCIS GREEN an act of treason to oneself.

But the 91-year-old Senator has found that even he, an almost ageless athlete, must occasionally give way. Not long ago, in his 80's, he went along with the advice of his doctors and gave up wrestling, mountain climbing, and high diving. Today he made perhaps his most reluctant concession. He gave up the chairmanship of the Senate Foreign Relations Committee.

The Rhode Island Democrat was quick to point out that he had no doubts about his physical stamina to carry on as chairman. Indeed, the Senator still looks quite robust, and his daily schedule belies the fact that he is the oldest man ever to serve in Congress.

He is up each day about 7 a.m. in his bachelor quarters in the University Club. Weather permitting, he likes to walk the 2 miles to the Capitol. And, on an average of twice a week, he has a workout in the Senate gymnasium, with a swim afterward.

LOVES TROLLEYS

On the mornings he does not walk to work the Senator takes to his first transportation love, the trolley car. He has some strong feelings about automobiles that would make Detroit shudder. Consequently, he has never learned to drive.

A multimillionaire, he has owned only one car. It was purchased during his 1932 campaign for Governor of Rhode Island just to keep up appearances. After the campaign, the chauffeur was retired and so was the car.

His proclivity for walking, working out, swimming and traveling around the world has served to keep the Senator in shape for the active social life he leads as the dean of the Senate bachelors. He is in great demand at diplomatic dinners and elsewhere around town and his ruddy face, complete with pince nez and tweedy mustache, often looks out of Washington's society pages.

For some time now, the Senator has been using a little book to help keep tabs on his engagements. One of the many stories told about him is that of the hostess who saw him consulting the little book and asked:

"Are you checking to find out where you go next?"

His answer:

"I'm checking to see where I am now."

SICKLY AS A CHILD

Since he entered politics, he has never seemed to have any trouble deciding where he was going. He was born Oct. 2, 1867, in Providence. In addition to all the childhood diseases he had pleurisy, malaria, pneumonia, and typhoid fever, all of which left him so sickly he could not go to school with other boys. When his strength returned, he went to classes a mile and a half from his home and walked each way. He resolved to hold on to his physical fitness and he has been working at it ever since.

Besides becoming an athlete, he became a linguist—he speaks five foreign languages—a scholar, an alumnus of Brown University, Harvard Law School, and the Universities of Berlin and Bonn. Returning to Providence, he acquired an immensely lucrative law practice and was elected to the State legislature in 1907. He ran unsuccessfully for Governor in 1912 and again in 1930. But in 1932 he won and was reelected in 1934.

After coming to Washington in 1937, the Senator gave vigorous support to the Roosevelt administration and said that he could be called a Roosevelt New Dealer "unless there is a stronger term." He subsequently gave full support to the Truman administration. Seldom does he depart from the Democratic line in domestic matters.

In foreign affairs, however, the Senator has often said that partisan politics stops at the water line and has no place in foreign policy. He is an ardent internationalist and has backed most of President Eisenhower's foreign policy requests.

The Senator's term expires next year. He did not say today whether he would run again, but has said that he would like to serve in the Senate until he is 100.

[From the Washington Post, Jan. 31, 1959]

SENATOR GREEN STEPS DOWN

Senator THEODORE FRANCIS GREEN showed good judgment in deciding to relinquish the chairmanship of the powerful Committee on Foreign Relations. At the advanced age of 91, with his eyesight and hearing impaired, the Senator is no longer capable of carrying on the rigorous duties of the No. 1 legislator in foreign affairs. His resignation will neither terminate nor impair his distinguished career in the Senate and the committee; indeed, his standing among his colleagues will be enhanced by his acknowledgment of his current limitations and his placement of the national welfare above his personal wishes.

Senator J. WILLIAM FULBRIGHT, who will succeed to the chairmanship under the seniority system, will take to the post an abundance of vigor as well as a broad background and an intense interest in foreign relations. More critical of the foreign policies of the Eisenhower administration than his predecessor, Mr. FULBRIGHT is nevertheless keenly aware of the need for anchoring all operations in this sphere to the national welfare rather than partisan politics. He may be expected to reanimate the committee as a potent force in the shaping of international policies.

Meanwhile Congress might well reflect upon the policy it adopted last year to prevent the seniority system from impairing the work of the courts. It provided that when a presiding judge in the district and circuit courts reaches the age 70 he must relinquish his administrative duties, though he may continue to serve as a judge. Opinions will vary as to the exact age at which a chairman should step down, but some such rule applied to congressional committees would be a standing safeguard against the debilitation of age in the positions in which it is likely to be most dangerous.

[From the Washington Star, Oct. 8, 1957]

SENATOR GREEN'S TRIP

For the first time since the founding of the North Atlantic Treaty Organization in 1949, a member of the Senate Foreign Relations Committee is going abroad to visit all the NATO countries on a single trip. He is Chairman THEODORE FRANCIS GREEN, and he is undertaking the 2-month tour in order to see for himself what the alliance has accomplished and what, if anything, should be done to make it an even more effective instrument of Western defense and cooperation.

This is a good idea, and more than a few of NATO's members will welcome it as evidence that the committee is continuing to maintain a lively interest in various interallied problems. The project, involving lengthy conferences with high officials in 14 different countries, would be strenuous even for a young man, but the remarkable Senator GREEN, despite his 90 years, seems to thrive on such labors. The results of his journey should be helpful alike to the United States and all other members of the alliance.

[From the Washington Post, Oct. 2, 1958]

SENATOR GREEN SEES 14 PRESIDENTS

(EDITOR'S NOTE.—Drew Pearson today awards the brass ring, good for one free ride on the Washington Merry-Go-Round to Senator THEODORE FRANCIS GREEN, elder statesman of the Senate, who is celebrating his 91st birthday.)

WASHINGTON.—Senator THEODORE FRANCIS GREEN, of Rhode Island has seen 91 years of American history roll by during which he has met 14 Presidents. This is almost one-half of the Presidents of the United States.

His memory is quite clear regarding them.

The first was Rutherford B. Hayes, who came to Providence in 1877. Mrs. Hayes, seeing the 10-year old THEODORE FRANCIS just behind her in the receiving line, said: "Come here, little boy, you can't see what's going on." Thereafter he stood right beside the President as the latter shook hands with the people of Providence.

James A. Garfield, who followed Hayes, was assassinated. He was the only President since 1877 GREEN did not meet.

Chester Arthur, who replaced Garfield in 1881, came to Newport when GREEN was about 15. When they shook hands, THEODORE FRANCIS yelled: "Ouch."

"Look here, young man," said President Arthur. "I'll show you something. I always squeeze the other man's hand first. Otherwise he'll squeeze mine."

Grover Cleveland, the first Democratic President GREEN met, came to Harvard when the Senator was studying at Harvard Law School, and the future Senator was invited to sit on the platform. Later, he met Cleveland at several receptions in Washington, where GREEN's uncle, Sam Green Arnold, was a U.S. Senator. Eight of GREEN's relatives, incidentally, served in the House or Senate.

The Senator recalls meeting Benjamin Harrison briefly at a White House reception.

Teddy Roosevelt's friend: President William McKinley, GREEN also met at a White House party to which he had been invited by Secretary of State John Hay, a friend of GREEN's father at Brown University. Mrs. McKinley was subject to spasms but insisted on attending White House receptions, and the chief memory young GREEN took away from Washington was of Mrs. McKinley dressed in elegant finery, sitting in a wheelchair, then suddenly seized with a spasm. A handkerchief was thrown over her face and she was taken away.

"Theodore Roosevelt was really a good friend," recalls Senator GREEN, "so much so that he asked me to be his New England campaign manager.

"I had attended the Baltimore Democratic Convention which was deadlocked so long over Champ Clark of Missouri that Peter Gerry and I were the only Rhode Island delegates remaining. I threw the Rhode Island votes to Wilson and went home to find Teddy's wire asking me to help with his Bull Moose campaign in New England.

"I had to say no, that I was supporting Wilson.

"During World War I, Teddy was anxious to command a division in France. Because I had supported Wilson at Baltimore he thought I had influence, and asked me to approach Wilson for him. I replied that I had never asked a personal favor.

" 'You're not asking a favor for yourself, but for a personal friend of yours,' Teddy replied."

Top-spinning Taft: "So I saw Wilson. He said he would take the matter up with his military advisers, but he never gave T.R. a command."

Senator GREEN knew William Howard Taft quite well and once asked him if he didn't get tired "spinning like a top."

"Do you know what happens when a top stops spinning?" Taft asked. "It dies."

GREEN first met Woodrow Wilson when the latter was a professor at Princeton and came to speak at Brown. Wilson spent the night at the Green residence in Providence, built in colonial days.

"Wilson was aloof," recalls the Senator. "I admired him very much, but I never could get close to him."

Warren G. Harding, who died in office, GREEN knew only slightly. Coolidge, who followed him, GREEN met many times, and he remembers a White House reception at which he stood beside a former Coolidge classmate who proceeded to tell the President the story of a mutual school prank.

Coolidge didn't crack a smile. Embarrassed, Mrs. Coolidge tried to cover up.

"Calvin, wasn't that an amusing anecdote?" she said. "I'm so glad you told us."

GREEN also recalls a story told him by one of the famed Patton sisters who knew she was going to sit beside Coolidge and bet $10 she could make him talk. At the dinner the following conversation took place.

"Mr. President, I'm so honored to sit beside you."

No answer.

"They told me you wouldn't talk."

No answer.

"But I knew you'd talk to me."

No answer.

"In fact I bet $10 on it."

"You lost."

Herbert Hoover once spent the night at the Green home when Secretary of Commerce. GREEN describes him as "most intelligent, but a bit reticent. He was pleasant, though quiet. Took in more than he gave out."

Franklin Roosevelt also was entertained at the Senator's home in Providence when Secretary of the Navy. "He was a real friend," recalls GREEN. "It was he who got me started taking a checkup. I was at the White House one day when he said he had to go to the hospital.

" 'What's the matter?' I asked.

" 'Nothing, just a checkup,' he explained. 'If you don't get them you're foolish. Come with me.'

"At the hospital F.D.R. said, 'Give Senator GREEN the same examination you gave me.' They did and I've had one every year since."

Senator GREEN first met Harry Truman in the Senate and occupied the office next to his for 4 years. They were close friends. President Eisenhower he first met when Ike was an Army officer.

That is the record of the oldest man ever to serve in the Senate. Probably no other man has ever known so many Presidents, and it may take another half century for anyone else to equal the record.

DREW PEARSON.

THE EVER GREEN SENATOR GREEN

(By William S. White)[1]

The U.S. Senate holds a position in American life comparable to that of the senate of ancient Rome. It is to a considerable extent a law unto itself. The Senate is ruled by committees. And of all Senate committees the one that excites the most respect and envy is the Committee on Foreign Relations—15 men able at times to challenge the authority of the President. American legislative practice gives enormous authority to committee chairmen. In consequence, the personality of the chairman of the Senate Committee on Foreign Relations is important not only to Americans, but to America's allies as well.

This is particularly true when, as since January 1957, that chairman is one of the most remarkable figures in American public life.

The ordinarily bleak adjective "old" is extraordinarily applicable, in extraordinarily pleasant and useful connotations, to Senator THEODORE FRANCIS GREEN, of Rhode Island, chairman of the U.S. Senate Foreign Relations Committee.

A current American mythology wholly equates the accidental condition of youth with nearly all that is good in life. Much present folklore, indeed, regards the forties as a time of the dissolution, if not the final destruction, of the human personality. To be fifty is to be a venerable party.

Senator GREEN, who in his 90th year actively and zestfully guides perhaps the world's most powerful and influential legislative committee, is a cheerful living refutation of these odd, Hollywood-inspired notions. He is amiable proof as well that in this country the nonconformists are nearly always not the young.

As an aristocrat, and a rich one at that, Senator GREEN is a throwback to this now all but vanished breed to whose extinction he has consciously assisted as a liberal politician supporting for decades the leveling processes involved in welfare legislation and soak-the-rich policies.

A scholar at home in five foreign languages—German, French, Spanish, Polish, and Greek—he is, withal, a dedicated defender of pure and traditional English. His interrogation of State Department witnesses before his committee is never more acid in tone than when they slip into the bureaucratic jargon that so wars in Washington with the mother tongue.

An experimenter in art (particularly Chinese) and in music, and a dilettante in such matters as agriculture, he nevertheless prefers the Acropolis to the vastest industrial complex in all Detroit.

A FRIEND OF TWO ROOSEVELTS

A comparatively leftwing politician by American standards, and a great friend in turn of the two comparatively left wing Presidents Roosevelt, first Theodore and then Franklin, Senator GREEN nevertheless reflects the old rather than the new liberalism in one important thing. He does not consider private fastidiousness or even social discrimination to be in any way exclusive of public democracy.

This amazing man is the best known and the most ubiquitous diner-out in Washington—a man born to the white tie. He is as tireless a figure as there is in American public life today.

His constituency in Rhode Island is predominantly working class yet he maintains an unashamedly Edwardian mansion in his home State. He speaks with the broad upper class A common to the eastern seaboard of North America and scorns to alter his tone in addressing the smokiest union labor hall in Rhode Island.

In an era when some manifestations of intellectualism are rather suspect, Senator GREEN is jauntily pleased with his sound and solid academic background—Brown and Harvard Universities, the Universities of Bonn and Berlin.

He is undoubtedly the most and gayest-traveled chairman ever on the dais of the Foreign Relations Committee. If one aspect of this post pleases him more than all the others, it is the opportunity to roam usefully and with the restrained, small touch of pomp that suits him, from Baghdad to Bern and from Capetown to Copenhagen.

All the same, this man of art galleries, salons and gymnasia (he swims, spars at boxing and climbs the Capitol stairs two steps at a time) is a thoroughly practical politician.

A curious sense of thrift that requires him, a millionaire, to go to social engagements on a streetcar is carried by extension, into his public life. Though he is far more partisan by nature than was his great predecessor on the Foreign Relations Committee Walter F. George, of Georgia, Senator GREEN nevertheless is no man to wreck the foreign policy show by extreme criticism of the administration.

Some weeks ago his cold frowns, from his hierarchical eminence in the Democratic Party and in the Foreign Relations Committee, chilled and ended the design of some junior Democrats to investigate this country's damaged relations with Britain and France over Suez.

If Allied warships were patrolling a hostile shore in a common enterprise, he observed frostily, the commander would hardly halt operations to determine the precise responsibility for a nighttime collision within the destroyer line.

Again, though he has often been wryly disenchanted with the Eisenhower administration on many significant points of foreign policy, the Senator undertakes alterations only within the family and will publicly embarrass the President only in rare moments of extremis.

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[1] Mr. White, chief congressoinal correspondent of the New York Times and recognized as perhaps the shrewdest observer of the American Government as it actually is and works, has drawn the material for this article largely from personal contact with its subject. He is the author of the by now famous book (reviewed in the first issue) "Citadel—The Story of the U.S. Senate."

AN INDIVIDUAL TRADITIONALIST

An individualist though he is, Senator GREEN is falling into the tradition that has for the most part finally governed chairmen of the Foreign Relations Committee * * * of not gladly rocking the boat.

Opposed to the unwise rigidity of this country's policy toward Communist China, he speaks more softly on this question as chairman of the committee than he did as a member. He recently declared in a recorded radio interview that the United States "should recognize Red China sooner or later." When this provoked head wagging in a Chamber where nonrecognition has long been a seemingly unalterable article of faith, old Senator GREEN made it plain that he had not been advocating immediate recognition. At the same time, he took the opportunity to restate his hostility to the State Department's policy of refusing to allow American correspondents to enter Communist China.

What Senator GREEN really undertakes—as is the case with many senior American politicians—is so to conduct his affairs as on balance to promote the larger designs of his party—and, abroad, his country—without too much concern for the small kinds of consistency which younger public men regard with a rather desperate constancy.

A SOPHISTICATE BUT NOT A CYNIC

He is, in a word, a deeply sophisticated man, though not a cynical one. The thrusts and counterthrusts of American politics rarely move him in any deep way. This is another of the many aspects of his character that make him an 18th century rather than a 19th century man—this basic detachment, not unmixed with cultivated irony.

One of these exceptional occasions that have profoundly affected him came in the so-called McCarthy era, when the late Senator Joseph R. McCarthy, of Wisconsin, was making unsupported charges of seditious conduct against Americans of high and low station.

Senator GREEN was a member of the first of several Senate panels that investigated the McCarthy charges. From the onset he took a glacially hostile position to McCarthy, making no claim to an objectivity that he knew perfectly well did not lie within him.

Rhode Island, as was then true of many other predominantly industrial States, had a large core of devoted McCarthy followers, and Senator GREEN's unhidden animosity toward their hero evoked a bulk of scurrilous mail.

One day in his office the old gentleman showed me samples of this post, some of it put in terms that would be considered shocking in a railroad latrine.

"Odd, disgusting little things, aren't they?" he drawled. Then he put his fingernail gingerly against a pile of postcards and flicked them into the trash basket, significant of his sole reaction to that kind of constituent pressure.

Liberal, welfarist, democratic though he is, he prizes that protection of privacy that lies at the heart of the representative system of government.

Senator GREEN would have been at home in the age of Pericles. In homage, therefore, we have sought in Herodotus a few characteristics of ancient civilizations which might kindle his ready sense of humor:

"Persians like wine very much * * * it is usually after having drunk excessively that they deal with the most serious affairs. The next day when all are sober, the master, in whose house the affair was discussed, again brings up the subject. If the resolutions taken on the eve are confirmed, the project is carried through. Otherwise, it is dropped. Similarly, when a decision has been made by sober men, it is rediscussed when they have drunk.

"In Persia, one's birthday is considered the most solemn feast. On that day the meals are more copious than for any other celebration. The wealthy will serve a whole roasted bull, horse, camel, or donkey; the poor will have smaller livestock. Dessert is their favorite dish, and they never fail to consume several. It is this which makes them declare that the Greeks eat only to satisfy their hunger, because their desserts are never good. If they were, they would never stop eating."

Herodotus: On the Religion and Customs of the Persians.

[From the American Weekly, Nov. 3, 1957]

SENATORS: YOUNGEST, CHURCH, OF IDAHO; OLDEST, GREEN, OF RHODE ISLAND

(By Frances Leighton)

"It isn't the way a man counts his years but the way he uses them that counts," Senator THEODORE FRANCIS GREEN, chairman of the Senate Foreign Relations Committee said recently. And the bachelor gentleman from Rhode Island should know because he celebrated his 90th birthday on October 2.

Several months before this important date Senator GREEN broke all records by becoming the oldest Member ever to serve in the U.S. Congress. On that occasion he looked back at his unpromising boyhood and said: "I was sick all the time.

"I had mumps, measles, chickenpox whooping cough and all of the rest of the ailments youth is heir to and then I topped them off with a few fancier ones—malaria, typhoid fever, pleurisy and pneumonia."

How did the weakling child become the man now nicknamed "Tarzan" and "Superman" by his less active congressional colleagues?

The boy's father—a great believer in walking—took the first step by forcing him to trudge several miles to school every day from his Providence, R.I., home.

Young GREEN'S health improved and as he grew he tried all kinds of sports. As a result, when he came to Washington in 1937—a youthful 70—his activities included boxing, swimming, high diving, mountain climbing, long-distance running, tennis, handball, wrestling and judo. He still works at most of them and, in addition, is an excellent dancer.

In the Capitol GREEN ignores Senate elevators which stand open, waiting and plainly marked for Senators only, and bounds up the stairs. However, he's a sucker for more exciting transportation such as taking off in a jet from a carrier, diving in a dive bomber, riding in a tank, and making a breeches-buoy transfer at sea. His travels in recent years have included South America in 1954; a trip around the world in 1955, and celebration of his 89th birthday in the Belgian Congo in 1956.

He is a vigorous collector of oriental art and another hobby finds him still fighting the Indian wars—with maps—with his fellow Spanish-American War veteran cronies.

Up at 6:30 the Senator has an ice cold shower followed by half an hour of exercises. After breakfast at 7 he reads newspapers and walks 3 miles to the Senate Office Building where he whips through his mail, sees Rhode Island constituents, and consults colleagues. He spends the rest of the day in committee or on the Senate floor, then returns to his office for important appointments and to clean up the mail—an average of 500 letters a day.

By 4:30 or 5 he slips away for swimming and a workout with weights at the Senate gym. He returns to clear his desk by 6, when he takes a cab to his quarters at the University Club and usually changes to evening clothes. He attends several cocktail parties before a formal dinner at an embassy. As one of Washington's 10 most-sought-after guests, he may attend six affairs in one evening. By 11:30 or 12 he arrives home and falls asleep as soon as his head hits the pillow.

"I didn't set out to be a bachelor," he says. "Every leap year I have new hope, but nothing happens."

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a statement prepared by the junior Senator from Rhode Island [Mr. PASTORE] paying tribute to his colleague [Mr. GREEN], and commenting on his colleague's resignation from the chairmanship of the Committee on Foreign Relations.

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

STATEMENT BY SENATOR PASTORE

The action of my esteemed colleague, Senator THEODORE FRANCIS GREEN, fills me both with regret for the decision and with pride for the man who made it. It was absolutely his own choice, as much a surprise to the leadership as it was to me. I am certain that our Democratic leadership would have resisted any suggestion or pressure from any source other than Senator GREEN himself.

In the Senate of the United States, there is no one held in greater esteem and personal affection. He is the embodiment of all the qualities, of integrity, ability, industry, we have in mind when we confer the title "statesman."

Coming to the Senate of the United States 22 years ago, Senator GREEN has achieved a record of attendance and attention to all his duties which has not been surpassed. To master foreign relations, he has been a tireless traveler to all the corners of the earth where American interests are involved. His worth is recognized everywhere, and his word is trusted by all.

Under his chairmanship of Foreign Relations and in an administration of an opposition party, his labors have been for America. No finger of criticism can be pointed at the deliberations and decisions of this committee of the Senate under his chairmanship. Yet Senator GREEN has not hesitated to question individual actions of this administration when he felt that they were contrary to our national interests and our international policy.

For Senator GREEN voluntarily to withdraw from the chairmanship of the Foreign Relations Committee is a decision of a statesman who wishes no shadow of controversy to intrude upon the responsibilities of the committee whose importance is magnified by the perils and problems of our times.

It is a decision in keeping with the antecedents of this great American whose family gave patriotic leadership to our Rhode Island colonial history.

It is in keeping with the character of public service and private sacrifice of a man chosen to be governor of his native State 27 years ago. In that capacity he initiated an era of constructive democracy which has been a model of progress in the common welfare.

No wonder that Senator GREEN is beloved at home. He is inseparable from our State's present and its past. The school of his great devotion, Brown University, has rightly accorded him every distinction.

His has been a career of service and satisfaction. No honor short of the Presidency of the United States could confer a greater responsibility than the chairmanship of the Foreign Relations Committee.

I am proud of my colleagues who have intrusted such authority to the senior Senator from Rhode Island. I am proud of our party which can give guidance to our country in its time of great need.

I am proudest of Senator THEODORE FRANCIS GREEN who in an hour much given to personal rivalries and vaulting ambition,

could choose to serve in a capacity less exalted perhaps but no less exacting—giving to his every thought and action the ideals of a dedicated life—the wisdom of the scholar—the heart of a trusted neighbor of a citizenry with a passion for patriotism.

This is a day and a decision which elevates Senator THEODORE FRANCIS GREEN to the greatest heights of his career in the Senate of the United States. I am certain that every Senator on both sides of the aisle joins me in a tribute from the bottom of our hearts to this great American.

Mr. MORSE. Mr. President, I do not wish to let another day go by without making a few comments about a great man in the Senate, who has just resigned the chairmanship of the Senate Foreign Relations Committee. I refer to the distinguished Senator from Rhode Island, Mr. THEODORE F. GREEN.

At the committee meeting of the Foreign Relations Committee the other day I strongly advised against the resignation, and set forth my reasons. That was before I heard the great man from Rhode Island explain why he felt that, under all the circumstances, no other course of action was open to him. After we heard him, we said, in effect, "It is your decision, but we want you to know that it is the unanimous position of this committee that we would be delighted to have you continue as chairman of the committee. We would not want you to continue for a moment if it were not in the best interests of your health."

When he assured us that he intended to maintain his position of seniority on the committee, that he intended to give us the benefit of his sagacious counsel, and that he intended to continue to carry out all his other duties on the committee, we felt better.

The distinguished Senator from Rhode Island has been a great teacher of mine, not only in the field of foreign relations, but also in connection with the Senate as a whole. I have found him to be a gentle man, but, at the same time, a great fighter for what he believes in. By his example he has taught many of us the lesson that gentleness and determination to fight for the principles one thinks are right are compatible qualities.

Not only has he been a great teacher, but he is one of the great Americans of our time. I have considered it a great personal privilege to serve with him in the Senate. One of my cherished possessions is what I consider to be my personal right to call THEODORE GREEN my friend.

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

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

Mr. LONG. In connection with the Senator's remarks, I believe it should also be stated that the chairman of the committee, the Senator from Rhode Island, devoted more hours to committee hearings and to the other work of the Senate Foreign Relations Committee than did any other member of the committee. No other member of the committee came close in that comparison.

I have sat through a great number of hearings from which other Senators have absented themselves because they were not particularly interested in the line of questioning in which I or other Senators engaged. I found that on a great number of occasions I could look after office business or the interests of my constituents while other Senators were directing questions to witnesses. I cannot recall that that was ever the case with the distinguished chairman of the committee. If only two members of the committee were present at a hearing, he would be one of the two; and if only one was present, he would be that one.

I believe he has demonstrated his greatness and consideration of the national interest in taking the attitude that if he could not do everything which, by any stretch of the imagination, might be required of any committee chairman, he did not wish to retain the chairmanship and allow any other Senator to do anything which the chairman should do.

I have never seen a harder working chairman. I salute the distinguished senior Senator from Rhode Island for the great care he has shown for the national interest, and the great interest he continues to display in saying that that which is best for the country should be done, and that every member of the committee should, to the best of his ability, do that which should be done.

Mr. MORSE. I share the sentiments expressed by the Senator from Louisiana with respect to the chairman of the committee.

It is not trite to speak of him as a man who, time and time again, has performed many services far beyond the line of duty, both as chairman of the committee and as a distinguished Member of the Senate from Rhode Island.

I know for a certainty that the unanimous action taken by the Committee on Foreign Relations the other day, and the tribute we paid to the senior Senator from Rhode Island in the resolution which we adopted, represented the sincere views of every member of the committee. Not only the members of the committee, but the Senate as a whole and the American people will be everlastingly in debt to the senior Senator from Rhode Island [Mr. GREEN].

Mr. KEFAUVER. Mr. President, I should like to say a few words about Hon. THEODORE GREEN, senior Senator from Rhode Island. I have known and worked with Senator GREEN in the interests of the free nations of the world. I served as a delegate in 1957 and 1958 to the NATO Parliamentarians Conference, during which time Senator GREEN was the able chairman of the American delegation to those conferences.

No man has served better in the cause of a fuller understanding of foreign affairs than has Senator GREEN. His knowledge and vast experience have helped immeasurably in solutions to the many complex problems which make up the foreign affairs picture.

While Senator GREEN has stepped aside from the chairmanship of this vital Senate committee, his energy, strength, and wisdom will continue to be invaluable to us. I know he will continue to serve the Senate and the Nation well, as he always has in the past.

I think the Nation is fortunate in having so able a man as Senator FULBRIGHT to carry on the important work as chairman of the committee.

RESIGNATION OF MR. JAMES SMITH AS DIRECTOR OF THE INTERNATIONAL COOPERATION ADMINISTRATION

Mr. MANSFIELD. Mr. President, it is with reluctance that I call the attention of the Senate to the registration, on January 30, of Mr. James Smith as Director of the International Cooperation Administration. Mr. Smith assumed the duties which he is now relinquishing on August 9, 1957.

In the year and one-half during which Mr. Smith served as director of the agency which distributes aid abroad, the responsibilities of the post have been heavy and complex. In the first place, the International Cooperation Administration and its personnel have suffered from an ambiguous administrative status which still leaves it on the fringes of the Department of State, rather than well-integrated into that Department. Furthermore the function of foreign aid, which still is in transition, underwent major changes in policy and direction during the past year and one-half.

In surmounting these difficulties, Mr. Smith displayed unusual administrative capabilities and both imagination and flexibility. In his contacts with the Committee on Foreign Relations, moreover, he was invariably frank, cooperative, and accommodating.

I regret his decision to leave the International Cooperation Administration. I hope his departure from the Government is not permanent. There are many other posts which he might fill. This administration has great need for public service of the kind James Smith is capable of rendering.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON COMMODITY CREDIT CORPORATION SALES POLICIES, ACTIVITIES, AND DISPOSITIONS

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report of the general sales manager concerning the policies, activities, and developments, including all sales and disposals, with regard to each commodity which the Commodity Credit Corporation owns or which it is directed to support, dated November 1958 (with an accompanying report); to the Committee on Agriculture and Forestry.

AGREEMENTS UNDER TITLE I OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, agreements concluded during December 1958, under title I of the Agricultural Trade Development and Assistance Act of 1954, with the Governments of Yugoslavia, the United Arab Republic, and Finland (with accompanying papers); to the Committee on Agriculture and Forestry.

INDEMNIFICATION OF CERTAIN CONTRACTORS AGAINST NUCLEAR AND OTHER UNUSUALLY HAZARDOUS RISKS

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize the Department of Defense to indemnify its contractors against nuclear and other unusually hazardous risks, to limit the liability of contractors so indemnified, and for other purposes (with accompanying papers); to the Committee on Armed Services.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the National Aeronautics and Space Administration to indemnify its contractors against nuclear and other unusually hazardous risks, to limit the liability of contractors so indemnified, and for other purposes (with accompanying papers); to the Committee on Aeronautical and Space Sciences.

INCREASE OF FORCES AT NAVAL ACTIVITIES PRIOR TO NATIONAL ELECTIONS

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, by repealing section 7475, which restricts the increasing of forces at naval activities prior to national elections (with an accompanying paper); to the Committee on Armed Services.

REPORT ON MILITARY PRIME CONTRACTS WITH BUSINESS FIRMS IN THE UNITED STATES FOR EXPERIMENTAL, DEVELOPMENTAL, AND RESEARCH WORK

A letter from the Acting Assistant Secretary of Defense (Supply and Logistics), transmitting, pursuant to law, a report on military prime contracts with business firms in the United States for experimental, developmental, and research work (with accompanying papers); to the Committee on Banking and Currency.

REPORT AND FINANCIAL STATEMENT OF DISTRICT OF COLUMBIA ARMORY BOARD

A letter from the Chairman, District of Columbia Armory Board, transmitting, pursuant to law, the annual report and financial statement of that Board, for the fiscal year ended June 30, 1958 (with an accompanying document); to the Committee on the District of Columbia.

REPORT OF D.C. TRANSIT SYSTEM, INC.

A letter from the president, D.C. Transit System, Inc., Washington, D.C., transmitting, pursuant to law, a report covering the operations of that system, for the year ended December 31, 1958, together with a balance sheet, as of December 31, 1958 (with accompanying papers); to the Committee on the District of Columbia.

STATEMENT OF RECEIPTS AND EXPENDITURES OF CHESAPEAKE & POTOMAC TELEPHONE CO.

A letter from the vice president, the Chesapeake & Potomac Telephone Co., Washington, D. C., transmitting, pursuant to law, a statement of receipts and expenditures of that company, together with a comparative general balance sheet, for the year 1958 (with accompanying papers); to the Committee on District of Columbia.

TAXATION OF CERTAIN DIVIDENDS BY COOPERATIVES

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to assure that income allocated as patronage dividends by cooperatives is taxed either to the cooperative or the patron (with an accompanying paper); to the Committee on Finance.

ESTABLISHMENT OF A PUBLIC AFFAIRS OFFICER CORPS

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting a draft of proposed legislation to promote the foreign policy of the United States by strengthening and improving the foreign service personnel system of the U.S. Information Agency through establishment of a public affairs officer corps (with accompanying papers); to the Committee on Foreign Relations.

REPORT OF ADMINISTRATOR OF GENERAL SERVICES

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, his report on operations of that Administration, for the fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

RESEARCH IN THE FIELD OF METEOROLOGY

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to authorize the Secretary of Commerce to enter into contracts for the conduct of research in the field of meteorology and to authorize installation of Government telephones in certain private residences (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

EXTENSION OF PROVISIONS OF TITLE XII OF MERCHANT MARINE ACT, 1936, RELATING TO WAR RISK INSURANCE

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1965 (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

REPORT OF OPERATIONS UNDER FEDERAL AIRPORT ACT

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report describing the operations of that Department under the Federal Airport Act, for the fiscal year ended June 30, 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT OF FEDERAL MARITIME BOARD AND MARITIME ADMINISTRATION

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Federal Maritime Board and Maritime Administration, for the fiscal year 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, RELATING TO FREE OR REDUCED-RATE TRANSPORTATION

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 in order to authorize free or reduced-rate transportation for certain additional persons (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF TITLE 28, UNITED STATES CODE, RELATING TO COPYRIGHTS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States (with accompanying papers); to the Committee on the Judiciary.

CENTENNIAL CELEBRATION OF ESTABLISHMENT OF DEPARTMENT OF AGRICULTURE

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes (with an accompanying paper); to the Committee on the Judiciary.

RELIEF OF CERTAIN OFFICERS OF PUBLIC HEALTH SERVICE

A letter from the Acting Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation for the relief of Dr. Raymond A. Vonderlehr and certain other officers of the Public Health Service (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter by the Acting Secretary, Department of Health, Education, and Welfare, transmitting, pursuant to law, a report on tort claims paid by that Department, for the period January 1, 1958, to December 31, 1958 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Director of Business Administration, National Aeronautics and Space Administration, Washington, D. C., transmitting, pursuant to law, a report on tort claims paid by that Administration, for the period January 1–December 31, 1958 (with an accompanying report); to the Committee on the Judiciary.

COMPULSORY RETIREMENT OF REFEREES IN BANKRUPTCY

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend clause (1) of paragraph d of section 40 of the Bankruptcy Act (11 U.S.C. 68d (1)) to provide for compulsory retirement of referees in bankruptcy (with accompanying papers); to the Committee on the Judiciary.

SIMPLIFICATION OF FILLING OF REFEREE VACANCIES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend sections 43 and 34 of the Bankruptcy Act (11 U.S.C., secs. 71 and 62) to simplify the filling of referee vacancies (with accompanying papers); to the Committee on the Judiciary.

TRANSMISSION OF PAPERS BY REFEREE TO CLERK OF THE COURT

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to repeal clause (9) of subdivision a of section 39 of the Bankruptcy Act (11 U.S.C., sec. 67a (9)), respecting the transmission of papers by the referee to the clerk of the court (with accompanying papers); to the Committee on the Judiciary.

AMENDMENT OF SECTION 50 OF BANKRUPTCY ACT

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend subsections a, d, e, g, h, and k of section 50 of the Bankruptcy Act (11 U.S.C. 78) (with accompanying papers); to the Committee on the Judiciary.

RELIEF OF CERTAIN MEMBERS OF ARMED FORCES

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D.C., transmitting a draft of proposed legislation for the relief of certain members of the Armed Forces of the United States, or their survivors, who were captured and held as prisoners of war in the Korean hostilities (with accompanying papers); to the Committee on the Judiciary.

PROHIBITION ON PAYMENT OF ANNUITIES AND RETIRED PAY TO CERTAIN OFFICERS AND EMPLOYEES OF THE UNITED STATES

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to

amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

REPORT ON POSITION FILLED UNDER CLASSIFICATION ACT OF 1949

A letter from the Director of Personnel, Department of Commerce, Washington, D.C., reporting, pursuant to law, that, during the 1958 calendar year, there was no change in the position of Department of Commerce Budget Officer; to the Committee on Post Office and Civil Service.

PROGRESS REPORT ON FEDERAL-AID HIGHWAY PROGRAM

A letter from the Secretary of Commerce, transmitting, pursuant to law, a progress report on the Federal-aid highway program, dated January 1959 (with an accompanying report); to the Committee on Public Works.

REPORT OF ATOMIC ENERGY COMMISSION

A letter from the Chairman and members, U.S. Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, the semiannual report of that Commission, dated January 1959 (with an accompanying report); to the Joint Committee on Atomic Energy.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on records proposed for disposal under the law (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

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

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Tennessee; to the Committee on Rules and Administration:

"HOUSE JOINT RESOLUTION No. 14. A RESOLUTION MEMORIALIZING THE SENATE OF THE UNITED STATES TO RETAIN RULE XXII ALLOWING A MAXIMUM OF FREE DEBATE

"Whereas throughout the history of this great Nation, the free and almost unlimited power of debate in the U.S. Senate has stood as a bulwark against the oppression of minorities by the temporary majority; and

"Whereas this same power has frequently prevented the passage of hasty and ill-advised legislation which may be a product of the political tempo of the moment and against the best interest of the country; and

"Whereas this right of debate has also aided the protection of the States against complete national control of local affairs which cannot allow for the varying conditions among the States and among groups of States; and

"Whereas this right of deliberation is guaranteed by Senate rule XXII which is threatened by a group in the Senate who, under the guise of protecting rights, would destroy even greater and more far-reaching rights: Now, therefore, be it

"Resolved by the House of Representatives, the Senate concurring, That the members of this 81st General Assembly of the State of Tennessee implore and urge the Members of the U.S. Senate to retain Senate rule XXII as it is now constituted, the welfare of the entire Nation demanding it; and be it further

"Resolved, That a copy of this resolution be spread on Journals of the House and Senate and that copies hereof be transmitted forthwith to all Members of the United States Senate, and filed with the clerk thereof.

"Adopted: January 20, 1959.

"JAMES L. BOMAR,
"Speaker of the House of Representatives.

"WM. D. BAIRD,
"Speaker of the Senate.

"Approved: January 22, 1959.

"BUFORD ELLINGTON,
"Governor.

"I certify that the foregoing is a true and correct copy of House Joint Resolution No. 14.

"L. BUCHANAN LOSER,
"Chief Clerk."

A concurrent resolution of the Legislature of the State of South Carolina; to the Joint Committee on Atomic Energy:

"CONCURRENT RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES, THE JOINT CONGRESSIONAL COMMITTEE ON ATOMIC ENERGY, AND THE ATOMIC ENERGY COMMISSION OF THE UNITED STATES, TO FORTHWITH ENACT AND DECLARE THE JURISDICTION OF THE SEVERAL STATES, AND THE JURISDICTION OF REGIONS COMPACTED OF THE SEVERAL STATES, IN THE DISCOVERY, RESEARCH, AND DEVELOPMENT OF ATOMIC AND NUCLEAR ENERGY FOR PEACEFUL PURPOSES IN THE UNITED STATES

"Whereas the Congress of the United States has, by the Atomic Energy Act of 1954, and acts amendatory thereof, preempted the discovery, research, and development of atomic and nuclear energy for peaceful purposes in the United States; and

"Whereas all activities concerning the discovery, research, and development of atomic energy for peaceful purposes in the United States are required to be licensed by the Atomic Energy Commission and approved by the Joint Congressional Committee on Atomic Energy, thereby establishing a Federal Government monopoly in the discovery, research, and development of atomic and nuclear energy for peaceful purposes in the United States; and

"Whereas the Atomic Energy Commission has not declared any definitive policy of the United States concerning the jurisdiction of the several States and, the jurisdiction of regions compacted of several States, in the discovery, research, and development of atomic and nuclear energy for peaceful purposes in the United States; and

"Whereas decisions by the Supreme Court of the United States of force and effect as the supreme law of the land hold in effect that where Congress has jurisdiction and has legislated control of a subject, like atomic and nuclear energy for peaceful purposes, the preemptive doctrine applies, and that State laws attempting to control or regulate such subject are null and void; because the State legislatures have no power to control or regulate such subject after Congress has legislated concerning control and regulation of the same; and

"Whereas the discovery, research, and development of atomic and nuclear energy for peaceful purposes has become provocative of the power issue between government and private utilities in the United States; and

"Whereas the discovery, research, and development of atomic and nuclear energy for peaceful purposes, in order to attain maximum benefits with a minimum of harmful effects, in promoting the general welfare and providing for the common defense of the United States, requires participation of the several States, and of regions compacted of several States, in the performance of tasks necessary to meet the problems caused by the discovery, research, and development of atomic and nuclear energy for peaceful purposes in the United States: Now, therefore, be it

"Resolved by the Senate, the House of Representatives concurring, That the Congress, the Joint Congressional Committee on Atomic Energy, and the Atomic Energy Commission of the United States is hereby memorialized to forthwith declare the jurisdiction of the several States, and of regions compacted of several States, confining such operations within the circumference of ductile boundaries as may be deemed wise and consistent with the hazards of atomic and nuclear radiation and the national security, in the discovery, research, and development of atomic and nuclear energy for peaceful purposes in the United States; and be it further

"Resolved, That copies of this resolution be transmitted forthwith to the clerk of the Senate and to the Clerk of the House of Representatives of the Congress of the United States, to the clerk of the Joint Congressional Committee on Atomic Energy, and to the Secretary of the Atomic Energy Commission of the United States."

Two resolutions of the General Assembly of the State of Rhode Island; to the Committee on Banking and Currency:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROVIDE MORE EFFECTIVE AID FOR THE SPECIAL PROBLEMS OF SMALL BUSINESS

"Whereas contrary to the popular concept that the economy of this country is lodged in a few large corporations, history has proven that the basic element in such economy has been the small merchant and manufacturer; and

"Whereas this is evident in every portion of the United States, Rhode Island being no exception; and

"Whereas due to the expansion of the economy and the means of production have unwittingly been made easier for the larger corporations by inequitable tax relief and financing, small business has been placed at a decided competitive disadvantage; and

"Whereas small business has suffered from a lack of support for expansion and thus increased its chances of failure; and

"Whereas the General Assembly of the State of Rhode Island recognizes that unless these problems are met with forthright and positive action, small business may be forced to liquidate or flounder: Now, therefore, be it

"Resolved, That the Congress of the United States be and it is respectfully urged to provide more effective aid for the special problems of small business and to place small business on a more nearly equal footing with larger corporations by providing tax structures which will permit small business to retain a greater share of earnings in its early years, thereby encouraging expansion and reducing chances of failure, and to provide small business with essentially the same choice in methods of financing which is open to the large corporation, such as the establishment of a new system of Federal regional capital banks; and be it further

"Resolved, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives from Rhode Island in the Congress of the United States, earnestly requesting that each use his best efforts to see that proper action is taken which would carry out the purposes of this resolution.

"In testimony whereof, I have hereunto set my hand and affixed the seal of the State of Rhode Island, this 29th day of January A.D. 1959.

"[SEAL] AUGUST P. LAFRANCE,
"Secretary of State."

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO IMPLEMENT MORE EFFECTIVELY THE FEDERAL RESPONSIBILITY TO PROMOTE AND MAINTAIN FULL EMPLOYMENT

"Whereas the Congress of the United States in 1946 enacted a Full Employment Act enunciating the principle that full employment is a national responsibility; and

"Whereas any surplus-labor area which has a hard core of unemployment is entitled to relief; and

"Whereas Rhode Island is such an area containing a skilled and well equipped labor force; and

"Whereas it is vital to the economy of the Nation that implementation be given to the principle of full employment by providing for the use of such a labor force; and

"Whereas the Rhode Island contribution to the income of the Federal Government is disproportionately greater than any Federal benefits which it receives: Now, therefore, be it

"Resolved, That the General Assembly of the State of Rhode Island hereby urges the Congress of the United States to enact legislation which would give meaning to the Full Employment Act by providing loans for labor-surplus areas to finance much-needed construction and reconstruction of industrial facilities, guaranteeing a Federal procurement policy assuring labor-surplus areas their fair share of Federal purchases, making funds available for essential public construction and providing suitable training for the unemployed; and be it further

"Resolved, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives from Rhode Island in the Congress of the United States, earnestly requesting that each use his best efforts to bring about the enactment of such legislation.

"In testimony whereof, I have hereunto set my hand and affixed the seal of the State of Rhode Island, this 29th day of January A. D. 1959.

"[SEAL] AUGUST P. LAFRANCE,
"Secretary of State."

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Labor and Public Welfare:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO INCREASE THE FEDERAL MINIMUM WAGE RATE

"Whereas Rhode Island's manufacturers are faced with unfair competition from a few States and areas with wage rates far below the national average; and

"Whereas such large differentials present a serious threat to established industry in other parts of the Nation, particularly where labor is an important factor; and

"Whereas Congress recently recognized that low wage rates in any part of the Nation are a drag on the entire national economy, reducing employment and income levels at a time when increased consumer purchasing power is essential to national economic health, by increasing the Federal minimum wage rate; and

"Whereas such increase has not been realistic in the light of the present value of the dollar; Now, therefore, be it

"Resolved, That the General Assembly of the State of Rhode Island earnestly urges the Congress of the United States to provide for the immediate enactment of legislation to increase the Federal minimum wage rate to $1.25 per hour; and be it further

"Resolved, That duly certified copies of this resolution be transmitted forthwith by the secretary of state, to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives from Rhode Island in the Congress of the United States, earnestly requesting that each use his best efforts to enact legislation which would carry out the purposes of this resolution."

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Public Works:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROVIDE FOR A STUDY OF PUBLIC POWER POTENTIALS IN THE WATERS OF NEW YORK AND NEW ENGLAND

"Whereas New England, and particularly Rhode Island, is a highly industrialized area of the United States; and

"Whereas such areas rely upon great quantities of electric power; and

"Whereas recent studies indicate the wide differential in consumer rates for such power, particularly in the New England States and New York; and

"Whereas public power undoubtedly can contribute to the industrial health and prosperity of this area; and

"Whereas generating plants, dams, and transmission systems should be integrated in a common enterprise so that consumer rates in the entire area shall be the same; and

"Whereas it is vital to the economy of the area that the Federal Government explore the power potentials in the waters of New England and New York: Now, therefore, be it

"Resolved, That the General Assembly of the State of Rhode Island urgently requests the Congress of the United States to enact legislation to provide for a study of the public power potentials in the waters of New York and New England and that the Senators and Representatives from Rhode Island in the Congress of the United States use their best efforts in bringing about such enactment; and be it further

"Resolved, That duly certified copies of this resolution be forthwith transmitted by the secretary of state to the Vice President of the United States, to the Speaker of the House of Representatives in the Congress of the United States, and to each of the Senators and Representatives from Rhode Island in the Congress of the United States."

A resolution of the House of Representatives of the State of North Dakota; to the Committee on Finance:

"HOUSE RESOLUTION NO. 4, A RESOLUTION MEMORIALIZING THE CONGRESS TO REMOVE THE WARTIME EXCISE TAXES UPON LOCAL AND LONG DISTANCE TELEPHONE SERVICE

"Whereas a Federal excise tax of 10 percent upon the charges for local and long-distance telephone service was passed in 1941 as an emergency wartime measure to provide needed funds to support the war effort and to discourage the use of telephone service during the war period; and

"Whereas telephone service is an essential part of our way of life and cannot under any circumstances be considered a luxury item to be taxed in the same manner as furs, jewelry, liquor and other luxury commodities; and

"Whereas other household and business necessities, including electricity, water and gas are not taxed in such a manner; and

"Whereas the placement of high excise taxes upon such a necessity of life as telephone service results in the taxation of those citizens who can least afford to pay in the same manner as those of unlimited financial means; and

"Whereas the wartime emergency requiring the special additional revenue and restriction of the use of telephone service has long since passed; Now therefore, be it

"Resolved by the House of Representatives of the State of North Dakota, That the Congress is urgently requested to remove the unfair and inequitable tax upon telephone service during the current session of Congress; and be it further

"Resolved, That copies of this resolution be forwarded without delay by the Chief Clerk of the House of Representatives, to the President of the United States, the Vice President, the Speaker of the House of Representatives and each member of the North Dakota congressional delegation.

"———— ————,
"Speaker of the House.
"GERALD L. STAIR,
"Chief Clerk of the House."

Resolutions adopted by the 16th Annual Convention of the Utility Coworkers' Association at Newark, N.J., relating to social security, and so forth; to the Committee on Finance.

A resolution adopted by the student governing board of Northwestern University, Evanston, Ill., relating to the educational exchange program; to the Committee on Foreign Relations.

A resolution adopted by the Citizens' Study Club of Oahu, T.H., favoring the enactment of legislation to grant statehood to Hawaii; to the Committee on Interior and Insular Affairs.

The petition of the Yuchi group of Indians of Oklahoma, relating to compensation for lands taken from them; to the Committee on Interior and Insular Affairs.

A resolution adopted by the mayor and City Council of the City of Hot Springs, S. Dak., relating to the continued operation of the television booster station at Hot Springs; to the Committee on Interstate and Foreign Commerce.

By Mr. McGEE (for himself and Mr. O'MAHONEY):

A joint resolution of the Legislature of the State of Wyoming; to the Committee on Interstate and Foreign Commerce:

"JOINT MEMORIAL MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA WITH REFERENCE TO THE OPPOSITION OF THE PEOPLE OF THE STATE OF WYOMING TO UNWARRANTED INTERFERENCE BY DEPARTMENTAL ADMINISTRATIVE ORDERS WITH EXISTING TELEVISION FACILITIES IN THIS STATE

"Whereas a recent interpretation of the existing law by the Federal Communications Commission will prohibit the operation of so-called booster television stations; and

"Whereas the refusal of the Federal Communications Commission to license such stations may be necessary and beneficial within densely populated areas of the United States where many television broadcasting stations are located; and

"Whereas the engineering and other reasons for the refusal to license such stations do not exist in Wyoming; and

"Whereas each such station should be considered individually on its own merits; and

"Whereas the reception from 'booster' stations is the only present and practical means of furnishing the people in remote and isolated areas with the eduactional, recreational, and other benefits of television programs: Now, therefore, be it

"Resolved by the Senate of the 35th Legislature of the State of Wyoming (the house of representatives of such legislture concurring), That the President and Congress of the United States of America be and they are hereby memorialized to take such action as may be necessary to protect existing installations and to prevent a recurrence of administrative orders restricting television facilities beneficial to the people of this State; and be it further

"Resolved, That certified copies thereof be transmitted promptly to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, United States Senator JOSEPH C. O'MAHONEY, United States Senator GALE W. McGEE, and Representative in Congress, E.

KEITH THOMSON, and to the Chairman of the Federal Communications Commission.

"JAY R. HOUSE,
"Speaker of the House.
"NORMAN BARLOW,
"President of the Senate.

"Approved January 27, 1959:
"J. J. 'JOE' HICKEY,
"Governor."

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Wyoming, identical with the foregoing, which was referred to the Committee on Interstate and Foreign Commerce.

RESOLUTIONS OF AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION

Mr. CARLSON. Mr. President, the American National Cattlemen's Association held its annual meeting at Omaha, Nebr., during the week of January 15, 1959. This convention was attended by 1,500 cattlemen from 40 States.

I would call the Senate's attention to one of the resolutions passed, which is entitled "America Is In Peril," and ask that it be made a part of these remarks.

Another resolution which was presented from the floor of the convention was adopted, urging support for an equitable system of taxation, restoring a portion of the Bill of Rights and I ask that it be made a part of these remarks.

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

AMERICA IS IN PERIL

Whereas for many years we have, in our resolutions, called for economy in Government and have pointed to ways, such as through adoption of the Hoover Commission Reports, for example, to cut down our Government spending; and

Whereas each succeeding year brings greater spending of the taxpayers' money, much of it for nonessential services that are based on political expediency and not on demand for the public; and

Whereas our Government cannot long continue to spend if it is unable to find the means for paying for its spending other than through printing money; and

Whereas such a course leads only to even more of the inflation which has already cut the value of our dollar to less than half its former worth and which jeopardizes the economic welfare of every person in the Nation; Therefore be it

Resolved, That, as a first step toward economy in Government, we urge Congress to spend only within the balanced budget that the President has promised; and be it further

Resolved, That we urge for the sake of the future of our country, that the administration and Congress face up to the fact that we have already gone a long way toward ruinous inflation which can only be corrected by turning away from profligate spending and recognizing that Government's role is to govern and not to spend us into bankruptcy and chaos.

RESOLUTION PASSED, 62D CONVENTION, AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION, OMAHA, NEBR., JANUARY 17, 1959

Resolution presented from the floor of the convention and adopted.

Whereas the American National Cattlemen's Association has frequently and consistently taken a firm position in matters of principle; and

Whereas the need for support of an equitable system of taxation, consistent with our Constitution and Bill of Rights, is paramount in the performance of essential governmental functions; and

Whereas our Constitution provides methods for amendment, and precedent has been established, following a procedure of referendum: Therefore be it

Resolved, That we respectfully request the Congress of the United States to take such immediate action as is required which will permit the American people the opportunity made possible under the Constitution to vote upon the question of whether the 16th amendment to the Constitution is to be continued or repealed; and be it further

Resolved, That we urge and request elected representatives to support an equitable tax system restoring portions of the Bill of Rights.

RESOLUTIONS ON KINGS COUNTY CHAPTER, CATHOLIC WAR VETERANS OF NEW YORK

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a series of resolutions adopted at the 23d Annual Convention of the Kings County Chapter, Catholic War Veterans, held in Brooklyn, N.Y.

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

RESOLUTION 1

Whereas American foreign policy now permits the importation of many goods and items produced or manufactured in Soviet Russia and the Iron Curtain countries; and

Whereas the purchase of these goods and manufactured articles by American wholesalers and retailers for ultimate distribution to American consumers lends material aid and comfort to the Soviet Union and its satellites in the form of economic stabilization by American dollars; and

Whereas these American dollars may someday come back to haunt us in the form of "Red bullets" in the Soviet attempts to communize and conquer more and more of the world: Now be it therefore

Resolved, That the Kings County Chapter, Catholic War Veterans, once again reaffirm its opposition to the import and purchase of goods and products from the Soviet Union or any of its satellite nations, including Yugoslavia, and petition the Congress of the United States to place an immediate embargo thereon.

RESOLUTION 2

Whereas the Catholic War Veterans are vehemently opposed to communism and all that it stands for; and

Whereas the Communist conspiracy, engendered by Soviet Russia, seeks the destruction of all free peoples and free nations, and

Whereas continued recognition of the governments of the Soviet Union and other Communist nations under the control of Russia lends honor and prestige to them and discourages the spirit of liberty and freedom to the peoples of these nations: Now be it therefore

Resolved, That the Kings County Chapter, Catholic War Veterans, reaffirm its opposition to the continued recognition of Soviet Russia and the satellite countries and call for the cessation of diplomatic, economic, social and cultural relations with these nations, including the Communist regime in Yugoslavia.

RESOLUTION NO. 9

Whereas under current laws a former serviceman forfeits all rights of reinstatement of national service life insurance upon 60 days' lapsation of said insurance; and

Whereas many veterans have lost this insurance due to hardships encountered upon release from service which precluded them from continuing national service life insurance; and

Whereas loss of this insurance has in many cases resulted in financial hardship for the families of deceased veterans because they were not otherwise provided for: Now be it therefore

Resolved, That the Kings County Chapter, Catholic War Veterans, petition the Congress of the United States to enact legislation which would permit reinstatement in some form to former holders of national service life insurance.

RESOLUTION NO. 15

Whereas the present U.S. Army post known as Fort Jay, Governors Island, N.Y., was originally and officially known as Fort Columbus from its completion in the year 1809 until the year 1904; and

Whereas the name of the discoverer of America appeared on all U.S. Army orders issued on Governors Island through four wars and for a period of 96 years and said post was officially known through this period as Fort Columbus; and

Whereas the late Mr. Elihu Root, the then Secretary of War in the year 1904, signed an executive order by which the name of the great Genoese navigator, Christopher Columbus, was arbitrarily and without just cause removed and expunged as the official designation of the present U.S. Army Post, Fort Jay, N.Y.: Now be it therefore

Resolved, That a communication be forwarded to the Secretray of the Army Brucker requesting that he in all fairness and for the sake of justice review the historical records and restore the name of Christopher Columbus to its place of honor on Governors Island, N.Y., and that the U.S. Army installation presently known as Fort Jay be henceforth known by its original official designation assigned upon its completion in 1809, to wit: Fort Columbus.

RESOLUTION OF ISABELLA COUNCIL 873, KNIGHTS OF COLUMBUS, BROOKLYN, N.Y.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Isabella Council 873, Knights of Columbus, of Brooklyn, N.Y., expressing approval of the activities of the Federal Bureau of Investigation as they relate to Communists.

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

Whereas the activities of Communist, Communist-front, and certain pseudo-liberal organizations constitute a present and continuing danger to the liberties of all Americans and the welfare of our country; and

Whereas several of these organizations have launched an attack on the Federal Bureau of Investigation, the House Un-American Activities Committee and the Justice Department of the United States, in an effort to hamper their activities and break down our country's defenses against subversion; and

Whereas the Supreme Court of the United States has exceeded its judicial functions in laying down rules for the conduct of congressional investigations, which will impede the fight against subversion: Now, therefore, be it

Resolved, That Isabella Council No. 873, in regular meeting assembled, expresses its wholehearted approval and support of the

activities of the Federal Bureau of Investigation and its Director, Mr. J. Edgar Hoover, and insists that this organization be given the widest possible latitude to continue its invaluable services in protection of our country against its enemies abroad and at home; and be it further

Resolved, That this council endorses and congratulates the House Un-American Activities Committee on its diligent and tireless efforts in exposing Communist infiltration in our Government, in the professions and in vital industries, and we demand that this committee be maintained as a standing committee of the House of Representatives until the Communist menace has been permanently removed; and be it further

Resolved, That this council views with consternation and dismay the lawless actions of the United States Supreme Court in usurping legislative functions, including the laying down of rules for the conduct of legislative investigations, in contravention of the Constitution; and be it further

Resolved, That Isabella Council No. 873 call upon its Senators from New York State and its Representatives in Congress from Kings County to block every effort to tear down our defenses against Communist subversion and, by appropriate legislation, to spell out broadly and in detail the authority and duties of the Senate and House committees engaged in the fight against subversion, and the duties and authority of the Federal Bureau of Investigation, to the end that they may be enabled to function adequately against subversion without hindrance by the Supreme Court; and be it further

Resolved, That copies of this resolution be disseminated within our order, to public officials, patriotic and church societies, soliciting the active support of every loyal American in this effort to maintain our present defenses against subversive activities, in the face of current efforts to destroy them.

GEORGE J. NEUMANN,
Grand Knight.
RICHARD T. GOTTCENT,
Recording Secretary.

VICTOR HERBERT DAY—PROCLAMATION

Mr. BIBLE. Mr. President, I ask unanimous consent to have printed in the RECORD a proclamation issued by the Commissioners of the District of Columbia, designating February 1, 1959, as Victor Herbert Day.

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

Whereas Sunday, February 1, 1959, marks the 100th anniversary of the birth of Victor Herbert in Dublin, Ireland; and

Whereas Victor Herbert, after migrating to Germany as a small boy and receiving his education there, chose music as his vocation and the cello as his solo instrument; and

Whereas he came to the United States in 1886, with his wife, the celebrated German soprano Therese Foerster, at the invitation of the Metropolitan Opera Co.; and

Whereas Victor Herbert was not long in our country before he began establishing a reputation on his own—first as a cellist with some of our leading orchestras—then as an assistant conductor; and later as conductor of the Pittsburgh Symphony; and

Whereas his years in Pittsburgh brought the orchestra new stature and enhanced his own reputation as a musical interpreter; and

Whereas by 1904 Victor Herbert had established his own orchestra which he led for many years in New York and other cities, and in being so engaged became an important early recording artist for the Edison and Victor Cos.; and

Whereas through this period of development in the performance of music, Victor Herbert composed a variety of musical works, a list that eventually included not only some of the most popular melodies, but more than 40 operettas, 2 grand operas, orchestral suites, chamber pieces, choral works, and recital pieces for piano, violin, cello, or the voice; and

Whereas Victor Herbert was not only a leader and pioneer in music but, in 1914, largely through his efforts, the American Society of Composers, Authors, and Publishers was formed, and he served as a director and vice president until his death 10 years later:

Now, therefore, we the Commissioners of the District of Columbia, do hereby proclaim Sunday, February 1, 1959, as Victor Herbert Day, in fitting tribute to the memory of the man whom people throughout the world honor as one of the greatest musicians and composers of his time.

ROBERT E. MCLAUGHLIN,
DAVID B. KARRICK,
A. C. WELLING,
Commissioners of the District of Columbia.

REPORT ENTITLED "MISREPRESENTATIONS IN THE ADVERTISING OF PROPERTIES" (S. REPT. NO. 39)

Mr. MCCLELLAN. Mr. President, from the Committee on Government Operations, pursuant to Senate Resolution 223, 85th Congress, I submit a report of that committee entitled "Misrepresentations in the Advertising of Properties." I ask that the report be printed.

The VICE PRESIDENT. Without objection, the report will be received and printed, as requested by the Senator from Arkansas.

Mr. MCCLELLAN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief press release which I have issued today explaining the contents of the report and the subject matter therein.

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

Senator JOHN L. MCCLELLAN, Democrat of Arkansas, chairman of the Senate Permanent Subcommittee on Investigations, stated:

"Mr. President, on behalf of the Government Operations Committee, I submit the report made to it by the Senate Permanent Subcommittee on Investigations on 'Misrepresentations in the Advertising of Properties,' and ask that it be printed.

"On May 22, 1958, Senator KARL E. MUNDT introduced Senate bill 3889, which was cosponsored by me. This bill was directed at Federal control of firms engaged in taking advance fees from property owners and small businessmen in connection with the advertising of their property for sale. I emphasize the fact that these firms are not engaged in the sale of property as such, but merely advertise it for sale. The subcommittee held hearings on this bill in July of 1958. Testimony disclosed that there is a vicious racket in existence by which some 70 firms in the United States have been fleecing small businessmen of an estimated $50 million annually.

"Basically, the firms enter into contracts with businessmen to advertise for sale the latter's business on a national scale. The salesmen for these firms make use of all types of oral deception, and, through inferences and innuendo, are able to convince the victim that if he signs the contract his business will be sold in a very short period of time at an inflated price.

"The seller generally pays to the salesman at the intial meeting the contract fee which is 1 percent of the estimated value of his property. The victim feels protected, as he has been led to believe that unless a sale is forthcoming this payment will be refunded. The seller subsequently ascertains that his property has been listed in one or two classified ads in newspapers, or in a catalog put out by the firm. Usually, this is the full extent of the advertising. Sales resulting from such advertising contracts are less than one-half of 1 percent. Rarely, however, is there a refund made to the seller.

"The Federal Trade Commission is spending much time and money in its efforts to combat the advance fee racket, and has been successful in issuing several cease and desist orders. Its effectiveness is limited, however, because when one company is eliminated, several other companies come into existence.

"The National Association of License Law Officials, the National Association of Real Estate Boards, the Better Business Bureau, and various State attorneys general, who testified before the subcommittee, are uniformly in agreement that some type of Federal action is needed to control this type of fraudulent operation. The Post Office maintained that although it has been unable to obtain any prosecutions, jurisdiction in this area falls under mail fraud. It is their claim that it is extremely difficult to obtain proof in this type of fraud. The Department of Justice was of the opinion that existing Federal statutes are adequate and there was no need for Senate bill 3889. Because of the objections raised by these two agencies, this bill was not reported favorably to the floor of this body.

"The subcommittee feels that legislation is necessary to control the operations of advance fee firms. In view of the opinion of the Department of Justice that existing fraud statutes are adequate, future hearings will be held to determine the effectiveness of the present statutes, with a view to formulating new legislation.

"On January 20, 1959, Senator KARL E. MUNDT introduced Senate bill 550, which was cosponsored by me, which again is aimed at Federal control of the firms engaged in this vicious racket. Hearings in connection therewith will be held in the near future by the subcommittee."

ANNUAL REPORT OF COMMITTEE ON GOVERNMENT OPERATIONS (S. REPT. NO. 40)

Mr. MCCLELLAN. Mr. President, on behalf of the Committee on Government Operations, pursuant to Senate Resolution 223, 85th Congress, I submit the annual report of the Senate Permanent Subcommittee on Investigations, and ask that it be printed. I also ask unanimous consent that there be printed in the RECORD at this point a brief press release which I have today issued explaining the contents of the report.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Arkansas; and, without objection, the press release will be printed in the RECORD.

The press release presented by Mr. MCCLELLAN is as follows:

Senator JOHN L. MCCLELLAN, Democrat, of Arkansas, chairman of the Senate Permanent Subcommittee on Investigations, stated:

"Mr. President, on behalf of the Government Operations Committee, I submit the annual report made to it by the Senate

Permanent Subcommittee on Investigations, and ask that it be printed.

"During the past year, the subcommittee's investigations and hearings concerned the operations of many governmental agencies, including the Department of Defense, the Department of the Army, the Department of the Air Force, Department of State, the Department of the Post Office, the Federal Trade Commission, and the International Cooperation Administration. Many of the hearings, which are briefly summarized in this report, were held in executive session and no Senate report was ever made. In several cases various deficiencies, administrative in nature, were brought to the attention of the executive branch involved for corrective action without hearings.

"Hearings were held concerning the relationship of the Air Force to the Civil Air Patrol. The Civil Air Patrol is an official auxiliary of the Air Force. Certain officers in the organization were using the organization's name and prestige for personal enrichment. One lieutenant colonel was seeking donations of large pleasure yachts and selling them and pocketing the proceeds. His operations were uncovered by his superior officer who demanded and received restitution. However, the superior officer then turned around and stole the stolen money. As a direct result of our investigation and hearings, the money has been recouped, the cases involving the two principal offenders will be presented to a grand jury in New York, and extensive changes have been made in the operating relationship between the Air Force and the Civil Air Patrol, which will give the Air Force needed control over certain financial and property affairs of its auxiliary.

"In April of 1958, newspaper stories revealed that an employee of the Library of Congress had taken, without authorization, several hundred classified documents from the Armed Services Technical Information Agency (ASTIA), which was located in the Library of Congress. ASTIA is an executive agency, administratively operated by the Air Force for the purpose of providing an effective flow of scientific information to holders of contracts with the Department of Defense. The hearings disclosed that the guard system was totally inadequate, and this delinquency has been corrected as the guard force has been increased from 3 to 21. The hearings also disclosed that this Agency, which handles hundreds of thousands of classified documents, had no system of intraaccountability. Plans have since been formulated for such an accountability system.

"Hearings were held in connection with Project Sea Weed, which is an Air Force term applied to the prepositioning of war materials at Air Force bases, and concerns the supplies and equipment necessary for immediate defense retaliation strikes in the event of war. Investigation disclosed that little had been accomplished on this project at U.S. Korean airbases due to a lack of concern at all levels, coupled with the shortage of personnel. For example, there were actually assigned to this project one officer and two enlisted men at one air base, who devoted approximately one-third of their time to the program, when there should have been one officer, nine enlisted men, and two civilians working on it full time. As a result of the subcommittee's investigation, substantial progress has been made on this project by the U.S. Air Force.

"In May 1958 there was an explosion of an Army Nike installation at Middletown, N.J. Ten people were killed. The subcommittee held hearings to ascertain the cause of the accident and to review existing safety procedures. Senator JACKSON, who was acting chairman of the subcommittee for this hearing, recommended to the Secretary of the Army that a civilian committee be formed to take a fresh look at all safety features so as to assure that everything that could possibly be done was being done. As many of you know, these Nike installations surround many of our major cities. The Secretary of the Army heartily concurred with this recommendation, and on August 20, 1958, he established a committee of five distinguished civilian experts to examine the adequacy of safety measures, not only for the Nike Hercules, but for all Army defense systems.

"Hearings were held concerning the receipt of gifts from foreign governments by U.S. Government employees. Although there is a constitutional provision prohibiting the receipt of such gifts without the consent of Congress, the Department of State, on November 13, 1957, issued an instruction stating that if the Department of State employee decided the gift was of minor intrinsic value, he could keep it. This was done despite the Attorney General's rulings and Department of State legal rulings to the contrary. Testimony from officials from other executive branches of the Government indicated that they did not follow this new State Department ruling, and it became apparent there were two different rules of conduct. The subcommittee requested the President of the United States to issue an Executive order clarifying the situation. In a letter of December 12, 1958, we were advised by the White House that a careful and thorough study was being made and it was anticipated that legislative proposals will be submitted to this Congress.

"Public hearings were held in connection with Senate bill 3889, 85th Congress, 2d session, which was introduced by Senator KARL E. MUNDT and cosponsored by me. This bill was directed at the elimination of a vicious racket by which some 70 firms in the United States have been fleecing small businessmen of an estimated $50 million annually. These firms enter into contracts with businessmen to advertise the business on a national scale when, in fact, the salesman has represented that the business will be sold in a short period of time at inflated prices. Sales resulting from the advertising are less than one-half of 1 percent. Although the National Association of License Law Officials, the National Association of Real Estate Boards, Better Business Bureaus, and various attorneys general testified that Federal legislation is needed to control this type of operation, postal authorities maintained that they have jurisdiction in this type of case but have been unable to secure any prosecutions because of the difficulty of proof. The Department of Justice supported the Post Office Department and felt that existing Federal statutes are adequate. The subcommittee feels that some type of stronger Federal control is necessary. Accordingly, on January 20, 1959, Senator KARL E. MUNDT introduced Senate bill 550.

"Because of my required attendance at the hearings of the Select Committee on Improper Activities in the Labor or Management Field, Senator HENRY M. JACKSON was acting chairman for most of these hearings.

"On January 30, 1957, the Select Committee on Improper Activities in the Labor or Management Field was created by the Senate under my chairmanship pursuant to Senate Resolution 74, and it was continued pursuant to Senate Resolution 221, dated January 29, 1958. Six professional members of the staff of the Senate Permanent Subcommittee on Investigations have been and still are on loan to the select committee. In addition, one clerk from this subcommittee was loaned to the select committee and two clerks worked jointly for both committees. Thus, approximately $98,000 of the $200,000, which was appropriated to the Senate Permanent Subcommittee on Investigations, has been expended for purposes connected with the Select Committee on Improper Activities in the Labor or Management Field."

INVESTIGATION OF CERTAIN MATTERS BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. MURRAY. Mr. President, from the Committee on Interior and Insular Affairs, I report an original resolution, to authorize a study of how this Nation should organize its electric-power industry into large, integrated systems for greatest efficiency and economy.

It has been demonstrated that there are great economies in the construction and operation of giant generating plants, with hundreds of thousands of kilowatts capacity. There are savings up to 50 percent in the cost per kilowatt-hour of capacity in building the plants, and further savings in fuel costs in giant, scientifically controlled boilers. Transmission over increasingly long distances has become possible.

Private power companies, once divorced by the Holding Company Act, are making various types of power-purchase contracts and exchange agreements between each other to make possible the construction of giant generating plants—plants too big for a single system to install economically.

Our public power agencies are entering into pooling agreements and interconnecting with other power generators because of the advantages of giant power.

It is not necessary to review how essential abundant, low-cost power is to the Nation. The Paley Materials Policy Commission a few years ago arrayed all the evidence on this and showed that power is not only an essential to all production, its price enters into the price of nearly every product we buy. Especially in the new electrochemical field, the cost of power in a large measure determines the economic feasibility of commercial production of many fine new products, including some of our light metals.

Several years ago the Department of Interior proposed the establishment of a giant power grid in the West, foreseeing that the economy and efficiency of such a system would make it desirable. Russia is already developing such giant transmission systems and has developed ways to send power efficiently for 500 miles on high tension lines.

This Nation cannot afford the present haphazard approach to the development of giant power grids. There needs to be a study of power needs of the Nation by areas; of the most appropriate geographic units to be interconnected so each could have the most dependable, low-cost supplies of thermal and hydroelectric generating capacity and feasible transmission facilities. There needs to be a study of whether existing laws and regulations are impeding desirable interconnection and joint operations of private companies, or of private and public systems, and of many other aspects of the problem.

It is my hope that hearings on the desirability of such a study will give us not only a very clear picture of the scope of the problem, but also the extent to which other committees of the Senate are involved and should participate in the final study.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). The resolution will be received and appropriately referred.

The resolution (S. Res. 70), reported by Mr. MURRAY from the Committee on Interior and Insular Affairs, was received and referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Interior and Insular Affairs, 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—

(1) minerals, materials, and fuels;

(2) irrigation, reclamation, and power development;

(3) public lands;

(4) Indians;

(5) Territories and insular affairs.

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. Expenses of the committee, under this resolution, which shall not exceed $200,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

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. MURRAY:

S. 821 (by request). A bill to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes;

S. 822. A bill to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, Puerto Rico, in exchange for its development by the Municipality in a manner that will enhance the Historic Site, and for other purposes;

S. 823. A bill to revise the boundaries of the Kings Mountain National Military Park, South Carolina, and to authorize the procurement and exchange of lands, and for other purposes;

S. 824. A bill to direct the Secretary of the Interior to administer certain acquired lands as revested Oregon and California railroad grant lands;

S. 825. A bill to revise eligibility requirements for burial in national cemeteries, and for other purposes; and

S. 826. A bill to enlarge the Devils Tower National Monument in the State of Wyoming and for other purposes; to the Committee on Interior and Insular Affairs.

S. 827. A bill to amend the Helium Act of September 1, 1937, as amended; to the Committee on Armed Services.

By Mr. McCARTHY:

S. 828. A bill for the relief of Han Yung Din; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 829. A bill for the relief of Stefano Tarrantino; and

S. 830. A bill for the relief of Gaetano Ruisi; to the Committee on the Judiciary.

By Mr. MANSFIELD (for himself and Mr. MURRAY):

S. 831. A bill to amend the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181), relating to practices in the marketing of livestock; to the Committee on Agriculture and Forestry.

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

By Mr. ELLENDER:

S. 832. A bill for the relief of Mrs. Tyra Fenner Tynes; to the Committee on the Judiciary.

By Mr. MUNDT (for himself and Mr. SCHOEPPEL):

S. 833. A bill to provide for the rapid amortization for tax purposes of farm grain-storage facilities completed after December 31, 1958; to the Committee on Finance.

By Mr. SALTONSTALL (for himself and Mr. KENNEDY):

S. 834. A bill to make certain frozen fish blocks classifiable under paragraph 717 of the Tariff Act of 1930; to the Committee on Finance.

By Mr. SALTONSTALL (by request):

S. 835. A bill for the relief of Natale Gabriele; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 836. A bill for the relief of Paul H. White; to the Committee on the Judiciary.

S. 837. A bill to provide for the promotion of certain persons who participated in the defense of the Philippines; to the Committee on Armed Services.

By Mr. O'MAHONEY:

S. 838. A bill to fortify the antitrust policy of the United States against concentration of economic power and the use or abuse of that power to the detriment of the national economy by preventing manufacturers of motor vehicles from financing the sales of their products; to the Committee on the Judiciary.

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

By Mr. KEFAUVER (for himself and Mr. HENNINGS):

S. 839. A bill to supplement the Sherman Act and the Federal Trade Commission Act by prohibiting automobile manufacturers from engaging in the business of financing and insuring automobiles purchased by consumers, and for other purposes; to the Committee on the Judiciary.

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

By Mr. TALMADGE:

S. 840. A bill for the relief of Robert E. Wills; to the Committee on the Judiciary.

By Mr. MORTON:

S. 841. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Finance.

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

By Mr. PROXMIRE (for himself and Mr. NEUBERGER):

S. 842. A bill to authorize the Secretary of Agriculture to make long-term contracts for the disposal of surplus agricultural commodities, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. CLARK:

S. 843. A bill for the relief of Ursula Gewinner; to the Committee on the Judiciary.

By Mr. HENNINGS:

S. 844. A bill for the relief of Kazuko Yamanaka Barker; and

S. 845. A bill for the relief of Ekaterine G. Hronopoulos; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 846. A bill to provide that the lock and dam referred to as the Cannelton Lock and Dam, near Cannelton, Ind., on the Ohio River, shall hereafter be known and designated as the George Ewing Lock and Dam; to the Committee on Public Works.

By Mr. CHAVEZ:

S. 847. A bill for the relief of Sha Shiao Fonz; to the Committtee on the Judiciary.

By Mr. CARLSON:

S. 848. A bill for the relief of Peter Trbojevic and his wife, Milica Trbojevic; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 849. A bill for the relief of Bunge Corp. of New York, N.Y.; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. HENNINGS, Mr. CARROLL, and Mr. LANGER):

S. 850. A bill to provide for assistance to and cooperation with States, or political subdivisions or instrumentalities thereof, for the establishment of institutions of a minimum security type for treating and rehabilitating juvenile delinquents; to the Committe on Labor and Public Welfare.

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

By Mr. O'MAHONEY (for himself, Mr. MURRAY, Mr. ANDERSON, Mr. BIBLE, Mr. ALLOTT, Mr. McGEE, Mr. GOLDWATER, Mr. KUCHEL, and Mr. ENGLE):

S. 851. A bill to provide that withdrawals or reservations of public lands shall not affect certain water rights; to the Committee on Interior and Insular Affairs.

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

By Mr. O'MAHONEY (by request):

S. 852. A bill to amend section 30(a) of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C., sec. 187a), to prevent the undesirable division of oil and gas leaseholds; and

S. 853. A bill to amend section 30(a) of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C., sec. 187a), to prevent the undesirable division of oil and gas leaseholds; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. O'MAHONEY when he introduced the above bills, which appear under a separate heading.)

By Mr. GOLDWATER:

S. 854. A bill for the relief of Luther M. Crockett;

S. 855. A bill for the relief of Saeko Higa and Masako Higa; and

S. 856. A bill for the relief of W. L. Benedict; to the Committee on the Judiciary.

By Mr. O'MAHONEY (for himself and Mr. McGEE):

S. 857. A bill to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.; to the Committee on Government Operations.

By Mr. JAVITS (for himself, Mr. KEATING, and Mr. SALTONSTALL):

S. 858. A bill to amend the Internal Revenue Code of 1954 so as to permit railroad corporations to take full advantage of tax relief measures enacted or granted by the

States and their political subdivisions; to the Committee on Finance.

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

By Mr. YOUNG of Ohio:

S. 859. A bill declaring the inundation of property because of, or aggravated by, wind, waves, or tidal effects on the Great Lakes to be properly within the flood-control activities of the Federal Government; to the Committee on Public Works.

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

By Mr. PROXMIRE:

S. 860. A bill to amend section 19 of the Federal Reserve Act with respect to the use of vault cash holdings as required reserves against deposits; to the Committee on Banking and Currency.

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

By Mr. HUMPHREY:

S. 861. A bill to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government; to the Committee on Agriculture and Forestry.

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

By Mr. HUMPHREY (for himself and Mr. PROXMIRE) (by request):

S. 862. A bill to establish a family milk program for needy families in the interest of improved nutrition through increased consumption of fluid milk; to the Committee on Agriculture and Forestry.

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

By Mr. JAVITS:

S. 863. A bill to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms and in providing increased amounts for teachers' salaries; to the Committee on Labor and Public Welfare.

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

By Mr. HUMPHREY:

S. 864. A bill to provide greater protection against the introduction and dissemination of diseases of livestock and poultry, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. BYRD of Virginia:

S. 865. A bill for the relief of Tai Sung Chung; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 866. A bill to amend the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1911, and for other purposes," approved May 18, 1910; and

S. 867. A bill to amend the "Life Insurance Act" of the District of Columbia approved June 19, 1934, as amended by the acts of July 2, 1940 and July 12, 1950; to the Committee on the District of Columbia.

By Mr. WILLIAMS of New Jersey:

S. 868. A bill for the relief of Julian Cerf; and

S. 869. A bill for the relief of Konstantinos A. Kostalas; to the Committee on the Judiciary.

By Mr. ELLENDER (by request):

S. 870. A bill to provide a revolving fund for certain loans by the Secretary of Agriculture, for improved budget and accounting procedures, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. LANGER:

S. 871. A bill to amend title II of the Social Security Act so as to eliminate the requirement that an individual having attained 50 years of age in order to be eligible for disability benefits thereunder and repeal the provision which requires that the amount of disability benefits thereunder be reduced by the amount of certain other benefits payable by reason of the same disability;

S. 872. A bill to allow an additional income tax exemption for a dependent child who is a full-time college student;

S. 873. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for certain amounts paid by a teacher for his further education; and

S. 874. A bill to provide for the payment of an old-age pension to persons who have attained 65 years of age, if male, and 60 years of age if female; to the Committee on Finance.

S. 875. A bill to amend the Railroad Retirement Act of 1937 to permit women to receive reduced benefits thereunder at age 62; to the Committee on Labor and Public Welfare.

S. 876. A bill to amend the first section of the act entitled "An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes," approved September 1, 1954, so as to limit its application to cases involving the national security; to the Committee on Post Office and Civil Service.

By Mr. CASE of New Jersey:

S. 877. A bill to authorize a 4-year program of Federal assistance to States and communities to enable them to increase public elementary and secondary school construction;

S. 878. A bill to provide assistance to the States in certain surveying and planning with respect to college facilities; and

S. 879. A bill providing a program of financial assistance to the States for the construction of public community colleges; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CASE of New Jersey when he introduced the above bills, which appear under a separate heading.)

By Mr. TALMADGE:

S. 880. A bill to establish qualifications for persons appointed to the Supreme Court; to the Committee on the Judiciary.

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

By Mr. MORSE:

S. 881. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1954 to extend the insurance program established by such title so as to include insurance against the costs of hospital, nursing home, and surgical service; to the Committee on Finance.

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

By Mr. COOPER:

S. 882. A bill for the relief of the heirs of J. B. White; to the Committee on Agriculture and Forestry.

By Mr. LANGER:

S. 883. A bill to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law; to the Committee on the Judiciary.

By Mr. BRIDGES:

S. 884. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in the Philippines in 1959; and for other purposes; and

S. 885. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use at the Fifth National Jamboree of the Boy Scouts of America, and for other purposes; to the Committee on Armed Services.

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

By Mr. HILL (for himself, Mr. HUMPHREY, Mr. AIKEN, Mr. ALLOTT, Mr. BARTLETT, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DODD, Mr. DOUGLAS, Mr. EASTLAND, Mr. ENGLE, Mr. FULBRIGHT, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HAYDEN, Mr. HENNINGS, Mr. JACKSON, Mr. JOHNSON of Texas, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KUCHEL, Mr. LANGER, Mr. LONG, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCGEE, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORSE, Mr. MOSS, Mr. MURRAY, Mr. MUSKIE, Mr. NEUBERGER, Mr. PASTORE, Mr. RANDOLPH, Mr. SCOTT, Mr. SMATHERS, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, Mr. YOUNG of Ohio, Mr. MORTON, and Mr. SALTONSTALL):

S.J. Res. 41. Joint resolution to establish in the Department of Health, Education, and Welfare the National Advisory Council for International Medical Research, and to establish in the Public Health Service the National Institute for International Medical Research, in order to help mobilize the efforts of medical scientists, research workers, technologists, teachers, and members of the health professions generally in the United States and abroad, for assault upon disease, disability and the impairments of man and for the improvement of the health of man through international cooperation in research, research training, and research planning; to the Committee on Labor and Public Welfare.

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

By Mr. BIBLE (for himself, Mr. MORSE, and Mr. BEALL):

S.J. Res. 42. A joint resolution to establish an objective for coordinating the development of the District of Columbia with the development of other areas in the Washington Metropolitan region and the policy to be followed in the attainment thereof, and for other purposes; to the Committee on the District of Columbia.

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

SURVEY OF ELECTRIC POWER SITUATION OF THE UNITED STATES

Mr. MURRAY (for himself, Mr. NEUBERGER, and Mr. CARROLL) submitted the following resolution (S. Res. 71), which was referred to the Committee on Interior and Insular Affairs:

Whereas the planning and organization of electric power supply into the most modern and efficient systems, serving increasingly large geographic areas, is of vital importance to the general welfare of the United States, and especially to (1) the employment, productivity, and living standards of its increasing population; (2) maintenance of the leadership of the United States in a world of

increasing economic competition; and (3) the National defense; and Whereas both public and private power systems are involved in the problem and since enactment of the 1944 Flood Control Act, the Department of the Interior has had the responsibility for marketing all power produced at Federal multiple-purpose river basin projects other than those in the TVA program: Now, therefore, be it

Resolved, That the Senate Committee on Interior and Insular Affairs is hereby authorized and directed to make a comprehensive survey of the electric power supply situation of the United States and to recommend legislation to assure development and organization of bulk power supply to enable the United States to maintain an expanding economy, an increasing standard of living for all its people, and its position of strength in the world situation; and be it further

Resolved, That the Senate Committee on Interior and Insular Affairs is authorized to employ such staff, and to arrange for the loan of such employees of, and the provision of such information by, the agencies and departments of the Government, as may be required for the completion of such survey. The sum of $300,000 is hereby authorized to be expended in the completion of such survey.

AMENDMENT OF RESOLUTION ESTABLISHING SPECIAL COMMITTEE ON PRESERVATION OF MEMORABILIA OF SENATE

Mr. ANDERSON submitted the following resolution (S. Res. 72), which was referred to the Committee on Rules and Administration:

Resolved, That Senate Resolution 318—85th Congress, establishing a special committee of the Senate to study and report with respect to preserving memorabilia of the Senate, is amended by striking out "February 1" in section 4 and inserting in lieu thereof "April 2."

APPOINTMENT OF MINORITY MEMBERS OF SELECT COMMITTEE ON SMALL BUSINESS

Mr. DIRKSEN submitted the following resolution (S. Res. 73), which was considered and agreed to:

Resolved, That, pursuant to S. Res. 58, Eighty-first Congress, first session, agreed to February 20, 1950, as amended July 1, 1955, and January 17, 1959, creating a Select Committee on Small Business, the minority membership of the said committee shall consist of the following named Senators for the Eighty-sixth Congress: Messrs. LEVERETT SALTONSTALL, ANDREW F. SCHOEPPEL, BARRY GOLDWATER, JOHN SHERMAN COOPER, HUGH SCOTT, and WINSTON L. PROUTY.

AMENDMENT OF PACKERS AND STOCKYARDS ACT, 1921, RELATING TO PRACTICES IN MARKETING OF LIVESTOCK

Mr. MANSFIELD. Mr. President, on behalf of the senior Senator from Montana [Mr. MURRAY] and myself I introduce for appropriate reference legislation to amend the provisions of the Packers and Stockyards Act of 1921, as amended.

In brief, this legislation would authorize a nationwide program to promote greater consumption of meat products. These research and sales promotion programs would be financed by small deductions made from the sales of livestock. A nationwide set of rules for such a beef promotion program would be more efficient and beneficial than the individual State promotion programs and the program would be under the general supervision of the Department of Agriculture.

In the State of Montana, the livestock industry has operated a very successful voluntary beef promotion program. My State is an excellent example of what could be done on a nationwide scale. In fact the Montana Beef Council has carried on a very clever promotion program in the various advertising media.

This is not compulsory legislation, it is permissive. It does not require an appropriation of funds. The enactment of this bill will permit the collection of voluntary contributions on a nationwide basis. The stockmen, under the provisions of this bill, will have an opportunity to decline from contributing to the program prior to the actual sale.

This same bill was considered by the Senate Committee on Agriculture during the last session of Congress, but no definite action was taken. I think this is good legislation and I am hopeful that the committee will act on this measure at an early date. I do not feel that this is a controversial measure and I understand that the form of this bill meets the objections of the Department of Agriculture.

The approval of this program would contribute immensely to the welfare of the livestock industry.

The industry is not and has not asked for direct subsidization, and I do not think it is too much to ask that Congress approve a promotion program which will help to increase their sales and insure against the possibility of future subsidization.

Mr. President, I ask unanimous consent to have the language of this bill printed at the conclusion of my remarks in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 831) to amend the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181), relating to practices in the marketing of livestock, introduced by Mr. MANSFIELD (for himself and Mr. MURRAY), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181), is amended by adding after section 317 thereof a new section reading as follows:

"SEC. 318. Nothing contained in this act shall be construed as prohibiting a market agency, upon request of a livestock producer sponsored association or organization, from making deductions from the proceeds of sales of livestock or any species thereof to finance research or sales-promotion programs: *Provided,* That in accounting to the shipper of such livestock, the shipper is advised of the amount of the deduction, the purpose thereof, the organization it was made for, and that upon request of the shipper, made within 30 days from date of deduction, the amount deducted will be paid to the shipper: *Provided further,* That no deduction shall be made if the shipper so instructs the market agency prior to time of sale or accounting therefor."

CLASSIFICATION OF CERTAIN FROZEN FISH BLOCKS UNDER TARIFF ACT OF 1930

Mr. SALTONSTALL. Mr. President, on behalf of my colleague, the junior Senator from Massachusetts [Mr. KENNEDY], and myself, I introduce, for appropriate reference, a bill to make certain frozen fish blocks classifiable under paragraph 717 of the Tariff Act of 1930. I ask unanimous consent that the bill, together with a brief explanation of its purposes, be printed in the RECORD.

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

The bill (S. 834) to make certain frozen fish blocks classifiable under paragraph 717 of the Tariff Act of 1930, introduced by Mr. SALTONSTALL (for himself and Mr. KENNEDY), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 717 of the Tariff Act of 1930 is amended by adding a new subdivision (d) thereto as follows: "(d) Fresh fish cut, sliced, ground, minced, or otherwise reduced in size, formed and frozen into blocks, slabs, sheets, or other bulk shapes, and suitable for processing into fish sticks, flakes, cakes, portions, or similar products of any size or shape, except fish provided for elsewhere in this paragraph or in paragraph 1756 of this Act, 2½ cents per pound."

SEC. 2. The foregoing amendment shall enter into force as soon as practicable, on a date to be specified by the President in a notice to the Secretary of the Treasury following such negotiations as may be necessary to effect a modification or termination of any international obligation of the United States with which the amendment might conflict, but in any event not later than one hundred and eighty days after the passage of this Act.

The statement presented by Mr. SALTONSTALL is as follows:

STATEMENT OF PURPOSE OF BILL

Frozen fish blocks, consisting of fish trimmings recovered in the production of fillets and other portions of fish, have been classified by the Customs Service under the provision for "Fish, fresh or frozen (whether or not packed in ice), filleted, skinned, boned, sliced, or divided into portions, not specially provided for," which appears in paragraph 717(b) of the Tariff Act of 1930. The original rate of duty applicable to such products under that act is 2½ cents per pound. However, pursuant to the General Agreement on Tariffs and Trade (GATT), the rate has been reduced to 1⅞ cents per pound with respect to approximately the first 15 million pounds entered for consumption in the United States during each calendar year.

On June 4, 1957, the U.S. Customs Court in a case reported as *Iceland Products, Inc., and Ambrosio v. United States,* Abstract 60817, held that such frozen fish blocks do not come

within the meaning of any of the terms in that provision, presumably because the blocks are not sold for direct consumption. The evidence in the trial was to the effect that the blocks are sold only to "companies who process the fish into fish flakes or fish cakes." The blocks were held by the court to be classifiable under the provision for fish, prepared or preserved, not specially provided for, in paragraph 720(b), as modified by the GATT, with duty at the rate of 1 cent per pound. A Government petition for rehearing has been granted and is now pending.

It is the purpose of the proposed legislation to maintain the status quo which existed prior to the cited court decision with respect to the tariff classification of all frozen fish blocks should the final decision of the customs courts affirm the practice of the collector of customs who classified the pertinent fish blocks under paragraph 717(b), as modified, and, if said practice is finally determined by the courts to be erroneous, it is the alternative purpose of the bill to provide a new tariff classification which shall impose a duty at the flat rate of 2½ cents per pound on all frozen fish blocks except those specially provided for in paragraph 1756 of the Tariff Act of 1930 which relates to sea herring, smelts, and tuna fish.

To accomplish this purpose, section 1 of the bill would amend paragraph 717 of the Tariff Act of 1930 by adding a new subparagraph (d) thereto which contains a tariff description that specifically covers frozen fish blocks and imposes a duty thereon at the rate of 2½ cents per pound. However, it would specifically except from its provisions any frozen fish blocks which are provided for elsewhere in paragraph 717 or 1756. Thus, if the present court decision is changed after the rehearing or should be reversed on appeal, the classification of such fish blocks would be under paragraph 717(b) and the provisions of paragraph 717(d) would, in effect, be inoperative.

Section 2 of the bill delays the effective date of the bill so as to allow the President as much as 180 days in which to modify or terminate any trade-agreement concession with which the bill, as enacted, might conflict. Such effective-date clauses have been employed in recent tariff legislation where it appears to contravene our international trade-agreement commitments. For example, see Public Law No. 479 of the 83d Congress.

PREVENTION OF MANUFACTURERS OF MOTOR VEHICLES FROM FINANCING SALES OF THEIR PRODUCTS

Mr. O'MAHONEY. Mr. President, I introduce for appropriate reference a bill that has to do with the monopolistic condition which has been developing for years in the manufacture of automobiles and other motor vehicles.

The Senator from Tennessee [Mr. KEFAUVER] and I, who are both members of the Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary, have been working upon this proposed legislation. Recognizing the problem to be one of great significance and great importance, we have agreed to introduce separate bills. The bills are different, but only slightly different. The introduction of the two bills today, however, will, we hope, indicate to all manufacturers of motor vehicles that this is an important subject to which careful consideration and constructive action should be accorded.

We are not acting in a punitive sense, but in a corrective sense. We are seeking to obtain release from monopolistic methods.

Mr. President, I send the bill to the desk and ask for its appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 838) to fortify the antitrust policy of the United States against concentration of economic power and the use or abuse of that power to the detriment of the national economy by preventing manufacturers of motor vehicles from financing the sales of their products, introduced by Mr. O'MAHONEY, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. O'MAHONEY. Mr. President, the bill is entitled, as stated in the preamble, a bill "to fortify the antitrust policy of the United States against concentration of economic power and the use or abuse of that power to the detriment of the national economy by preventing manufacturers of motor vehicles from financing the sales of their products."

MANUFACTURERS COULD NOT PROVIDE FINANCING FOR PURCHASERS OF THEIR PRODUCTS

This bill makes it unlawful for any corporation, its subsidiaries, officers or employees, engaged in the manufacture and sale in interstate or foreign commerce of motor vehicles, to own or maintain any facilities for financing the sale at wholesale or retail of motor vehicles manufactured by such corporation. It would not prevent the manufacturer from permitting purchasers of motor vehicles who buy at wholesale to pay for such vehicles within a reasonable time after purchase at no additional charge. The term "motor vehicles" as used in the bill means passenger cars, trucks, buses, station wagons, and off-the-road earth moving machinery. The prohibitions of the bill are to be enforced through the injunctive powers of the Federal courts.

This proposed legislation is not drawn as a criminal statute. It sets forth in clear, simple language rules for the guidance of businessmen. If enacted into law, the business community will know that Congress has declared it is against public policy and in violation of law to combine the financing or banking aspect of the motor vehicle business with that of the manufacture of such vehicles. The bill is limited in its scope to the highly concentrated automotive industry where the threat of monopoly, if not actual monopolization, is present.

FINANCING OPERATIONS INTENSIFY CONCENTRATION OF ECONOMIC POWER IN MOTOR INDUSTRY

The economic dangers flowing from concentration of productive and banking facilities are present to a very high degree in the automotive industry. The problem has long been recognized—by those charged with enforcing the antitrust laws as well as by Members of Congress, but relief has apparently proved to be difficult, if not impossible, to obtain.

This Congress will have to decide whether to preserve free independent enterprise from the forces of concentration which are making big business and big Government twin foes to economic freedom. World War II diverted the Congress in 1941 from the consideration of legislation designed to make business free from control by either private monopoly or by Government. The concentration of economic power that was clearly visible in March 1941, when the final report of the TNEC was filed has now become greater than ever. It exists not only in the motor field but in almost every other field involving the production of basic commodities.

CONCENTRATION IS DISPLACING COMPETITION

In a recent address dealing with the concentration of economic power, Judge Victor R. Hansen, Assistant Attorney General, made it clear how competition has been displaced by concentration in the motor industry. Judge Hansen stated:

> The majors in 1949 produced more than 85 percent of new cars—leaving the smaller firms with a meager 14½ percent market share. By the first 4 months of 1954, however, the majors had jumped to almost 95½ percent, while the smaller producers' share had shrunk to a bit over 4 percent.

Three manufacturers dominate the manufacture and sale of automobiles. The largest of these, General Motors, has accounted for more than 40 percent of new car sales since 1931. In the years 1954, 1955, and 1956 General Motors' share of the market had risen to 50 percent. For the first 11 months of 1958, General Motors' market share was 50.2 percent. For the same period, General Motors, Ford, and Chrysler combined sold more than 94 percent of all the cars produced in the United States.

MANUFACTURERS CHARGED WITH MONOPOLIZING FINANCING BUSINESS

Mr. President, the Subcommittee on Antitrust and Monopoly has studied the techniques and methods used in the automobile financing field at considerable length. In 1955 when I was acting chairman, and again in 1958 under the Senator from Tennessee [Mr. KEFAUVER], the subcommittee held hearings in which much information was developed on this matter. During the 1955 hearings, the history of the three indictments in 1938 against General Motors, Ford, and Chrysler and their affiliated finance companies was placed in the record of the subcommittee in detail. Those indictments charged conspiracy to monopolize the business of financing the sale of automobiles by forcing and inducing dealers handling the cars of the respective manufacturers to use the financing facilities of the companies affiliated with the manufacturers at both the wholesale and retail levels. It was charged that because of the high unit price of cars and the requirement that all cars be paid for in cash before shipment, large sums of money were regularly and continuously required to finance purchases by dealers at wholesale, as well as to permit retail purchasers to buy cars on a time-sales basis. It was also charged that the defendants had excluded as far as possible all finance companies other than the company affiliated with the manufacturer from the business of financing cars at both wholesale and retail, and that each manufacturer had given various special services,

facilities and preferences to its affiliate and had coerced its dealers to use the services of the affiliate.

Some of the means alleged in those indictments to have been used to compel dealers to use the financing facilities of the manufacturers' affiliates were the cancellation of dealers' franchises and threats to cancel such franchises; the making of these contracts for a period of 1 year only, subject to cancellation on short notice; conditioning the making of such contracts on the dealer's promise to use the facilities of the manufacturer's affiliate; discriminating against noncooperative dealers by shipping cars which were not ordered during periods of overproduction and refusing to ship cars during periods of short supply; shipping cars of different types from those ordered; and shipping an excessive quantity of parts and accessories to noncooperative dealers. As a result, it was charged in the indictment that dealers were deprived of a free choice of finance companies even though under their contracts with the manufacturer they were not agents of the manufacturer but were independent contractors.

Mr. President, these indictments were returned on May 27, 1938, and on November 15, 1938, Ford and Chrysler agreed to consent judgments and the indictments against them were dismissed. Civil suits against these two manufacturers were substituted for the criminal proceedings. Under these consent decrees, all forms of coercion formerly imposed by the two companies, Ford and Chrysler, against their dealers were enjoined. These decrees also provided that first, if the still-pending criminal proceedings against GM did not terminate in a conviction, the injunctive features of the consent decrees should be suspended until substantially identical requirements should be imposed on GM; and, second, the bar against affiliation of Ford and Chrysler with a finance company should be suspended unless the Government got a final adjudication divorcing General Motors Acceptance Corporation—GMAC—from General Motors by January 1, 1941.

COMPANIES FOUND GUILTY OF CHARGES

Mr. President, it was just 1 year and 1 day later, on November 16, 1939, that GM and three affiliated companies were found guilty by the jury in the criminal case. Fines of $5,000, the maximum at that time, were levied against each of the four defendants in the GM case. When the conviction was upheld on appeal late in 1941, the injunctive features of the Ford and Chrysler consent decrees became final.

CIVIL CASE DISMISSED WITHOUT REQUIRING GM TO DIVORCE GMAC

The Government then filed a civil suit against GM, on October 4, 1949, seeking to divorce GMAC from GM. During the pendency of this civil case, extensions of the bar against reaffiliation with finance companies which was in force against Ford and Chrysler were sought and given by the court, up to and including January 1, 1946. Chrysler attempted to have the extensions barred in 1941 and 1942, but failed. In 1946, Ford succeeded in having the bar against affiliation with a finance company suspended. The Supreme Court, which finally resolved the matter, held that the crucial fact, as of that time, was not the degree of actual disadvantage then being placed on Ford, but the persistence of an inequality of treatment against which Ford had secured the Government's protection in the 1938 consent judgment.

After the Ford litigation was concluded, the Chrysler decree was modified to conform with the suspension secured by Ford, in order that Chrysler would not be required to operate at a competitive disadvantage with Ford or GM.

On July 28, 1952, a final judgment by consent was entered in the GM civil suit without obtaining divestiture of GMAC from GM. It conformed substantially with the modified judgments then in force against Ford and Chrysler.

During the 1955 hearings of the Subcommittee on Antitrust and Monopoly, the testimony contained references to the reasons why the Department dismissed the case against GM without divorcement. In substance, such reasons all went to the difficulty of proving in 1952 facts and actions carried on in 1938. In other words, it was not possible to prove a conspiracy and certain types of coercive action 14 years after the charges contained in the original indictment were made.

GM STRENGTHENED COMPETITIVELY BY GMAC

GMAC was organized in 1919 as a wholly owned subsidiary of GM, in order to provide needed automobile financing and broaden the market for the sale of GM cars. GMAC is today the only automobile financing company owned by an automobile manufacturing company and has truly exercised its function of placing its parent corporation in a stronger economic and competitive position.

In 1955, I presided over hearings which culminated in Senate Report No. 1879 entitled "Bigness and Concentration of Economic Power—A Case Study of General Motors Corp." Throughout the hearings it was often emphasized that GM has used its financing affiliate GMAC as a device to aid its sales of cars. During the hearings it was shown that the dependent position of the GM dealers upon the factory was sufficient to obtain the financing business from these dealers. A mere gentle reminder by sales representatives that GMAC is a member of the GM family was usually sufficient inducement to the dealer to let all of his financing business go to GMAC. The great vice of this situation rises from the fact that tremendous economic power is retained by a company which produces 50 percent of the automobiles manufactured in the United States and which is the largest manufacturing company in the world. The power which comes with such size is what guarantees the lions' share of the financing business for GMAC as GM's financing affiliate.

GMAC DOMINATES AUTOMOBILE FINANCING BUSINESS

GMAC is by far the largest automobile finance company in the automobile time finance sales business and is as large as 375 of its competitors combined. During the 1955 hearings it was reported that GMAC's total overall market position, including both the General Motors product and the product of all other automobile companies, amounted to more than 34 percent of all of the automobile time financing business done by finance companies, as distinguished from the automobile finance business done by banks, credit unions, and so forth. Thus, it had more than 34 percent of the entire business done by all automobile finance companies, whose total business equaled about 53 percent of the total automobile finance market. According to recent information brought to my attention, GMAC's percentage of all passenger car and commercial vehicle installment credit extended by U.S. sales finance companies has been steadily increasing from 1948 to 1956. According to this source, each of the five largest independent sales finance companies, plus all other U.S. finance companies combined, show a decline in their respective share of the market—but GMAC increased its share from 19 percent in 1948 to 40.3 percent in 1956. The increase in GMAC domination of the industry was especially pronounced during 1953 and 1954, when its percentage of the business done by all sales finance companies rose from 28.4 percent to 38.2 percent. This was an increase or 34.5 percent.

Since GMAC does business exclusively with GM dealers, the change in GMAC's industry position has been influenced by the relative change in GM's position in the automobile industry. Recent data indicates that during the period 1953 through 1956 GMAC increased its proportion of the market by 41.7 percent, while GM increased its share of the market by only 21.7 percent.

GMAC PROFITS SOAR

GMAC's continuous growth has also carried along a phenomenal rate of profit to GM. During the period 1950–57 GMAC has averaged 18.7 percent net profit, after taxes, on stockholders' average investment. The following is but a sample of this growth: In 1925, the income of GMAC was $2,356,000; by 1937, it had increased to $14,592,000. According to the 1954 annual report of GMAC the company had total current assets of $2,617,256,371, and total assets, including investment in Motors Insurance Corporation at book value, of $2,651,691,802. In 1954, gross income of $215,232,197, and net of $33,833,771 was reported. In 1957 GMAC reported a net income after taxes of $46,037,136.

FINANCING OPERATION BOLSTERS GM'S POSITION IN RELATED MARKETS

During the course of the 1955 General Motors hearings, the subcommittee also considered the way in which General Motors used its finance affiliate to improve its position in other market areas, such as the manufacture of buses, diesel engines and earth moving machinery—Euclid. Such equipment is financed by GM through Yellow Motors Acceptance Corporation—YMAC—its wholly owned subsidiary. Bus producers have insisted that financing is one of the chief advantages of General Motors. ACF-Brill's president, for example, noted that his

buses were priced competitively but because he could not offer financing for so long a period, he lost many sales. The president of the Southern Coach Manufacturing Co., offered similar evidence during the hearings. His new firm was specifically told it could have sales if it provided financing. His firm now makes no attempt to get customers unless such customers finance purchases locally. A representative of another bus firm, the Fixible Co., stated that his firm had utilized GMAC to finance its sales. He reported an instance of GMAC refusing to handle his financing of a bus sale and GM thereupon received the same order which it financed on longer terms through Yellow Motors Acceptance Corp. Fixible now relies on customer financing by local banks.

Following these hearings, the Department of Justice on July 6, 1956, filed an antitrust suit against General Motors, charging monopolization of the manufacture of buses by means of, among other things, financing the sale of buses through GMAC on terms which General Motors competitors with more limited resources could not meet. In its prayer for relief, the Government requested that General Motors be required to offer to finance the sales of buses manufactured by any other company upon the same terms and conditions as it finances its own buses. A motion for summary judgment by the defendants has been filed and argued before the Federal District Court in Detroit, and a decision on this motion is now pending.

During the 1955 hearings, the subcommittee undertook a study of the acquisition of the Euclid Road Machinery Co. by General Motors. Sales of road machinery equipment were being financed through GMAC. The report suggested that the previous history of General Motors supported the belief that the company would soon acquire a dominant position in the earth moving equipment field, and that the great financial strength of the General Motors Corporation would be instrumental in achieving this goal. Since the date of these hearings, both competitive manufacturers and dealers, who have asked to remain anonymous for fear of retaliation, have furnished information to this subcommittee that Euclid has been acquiring business by means of its ability to offer extravagant finance terms which none of its competitors could meet.

BILL WOULD HELP PRESERVE COMPETITION IN AUTOMOBILE FINANCING BUSINESS

The Congress must act now if it hopes to combat the growing concentration of economic power. This is one of the major problems facing the Nation. The bill I am introducing today would dissolve the unholy alliance between manufacturing and financing in the automobile industry—the most highly concentrated of our basic industries. The bill is not a panacea, but it is a step which is manifestly necessary if free competition in the automobile financing industry is to be preserved. Experience has demonstrated that the present antitrust laws are wholly inadequate to meet this situation. Only affirmative and prompt action of the Congress will suffice.

PROHIBITION OF AUTOMOBILE MANUFACTURERS FROM ENGAGING IN FINANCING AND INSURING THER PRODUCTS

Mr. KEFAUVER. Mr. President, on behalf of myself, and the Senator from Missouri [Mr. HENNINGS], I introduce, for appropriate reference, a bill to supplement the Sherman Antitrust Act and the Federal Trade Commission Act by prohibiting automobile manufacturers from engaging in the business of insuring and financing automobiles purchased by consumers.

This prohibition follows a finding in the bill that automobile manufacturers by engaging in these businesses restrain trade in automobiles and promote monopolization of the production, distribution, sale, financing, and insuring of automobiles.

The question might very well be asked, "Why is this extraordinary measure necessary?" A basis for the findings in this bill and the prohibition of the bill may be found in the reports of the hearings of the Senate Antitrust and Monopoly Subcommittee held in 1955 under the direction of Senator O'MAHONEY, and in 1958 under my direction. Concentration in the automobile industry has reached an all-time high. General Motors, Ford, and Chrysler during 1958 sold more than 94 percent of all of the new cars manufactured in the United States.

By the recent announcement of the Ford Motor Co. of its intention of reentering the business of financing new car sales to the consumer, the problem has been increased in magnitude. Although unconfirmed, I have also heard rumors to the effect that Chrysler is likewise contemplating reentering this field.

A most unusual situation has developed in the business of financing and insuring new-car sales by virtue of the activities of the Department of Justice. In 1938 the Department of Justice obtained indictments against General Motors, Ford, and Chrysler, charging each with a conspiracy to restrain trade in automobiles by coercing their dealers to finance car sales through finance firms owned by each. Civil actions were filed against the same defendants. By the entry of consent decrees in the civil actions against Ford and Chrysler, the criminal cases against these two defendants were nol prossed. The consent decrees entered into between these defendants and the Government in the civil cases were contingent upon like relief being secured against General Motors Corp.

General Motors Corp. resisted the criminal indictment and was ultimately, in 1941, adjudged guilty. However, the civil case against General Motors, which was likewise resisted, was ultimately dismissed as the result of the failure by the Justice Department to prosecute its case. I understand that the explanation offered by the Department for its failure to press its case against General Motors in this respect was that it was due to the fact that the Second World War had intervened and because its evidence had become remote and some of the witnesses had become unavailable. When the Department of Justice's civil case against General Motors was dismissed, the consent orders against both Ford and Chrysler were modified. By this peculiar set of circumstances it can be seen that General Motors, which dominated the manufacture of new cars, was left as the only manufacturer engaged in new-car financing and insuring. As a result of this position, its share of the new-car financing and insuring rose to an all-time high. I am not surprised, therefore, that the Ford Motor Co. has indicated its interest in returning to this lucrative undertaking.

The bill which I send to the desk is designed to deal with the concentration of economic power in the automobile industry by absolutely preventing further abuse of this power in the automobile financing and insuring field. Obviously, the bill would prevent the Ford Motor Co. from engaging in the financing and insuring of automobiles as it has announced it intends to do, and the bill would prevent General Motors Corp. from continuing in these lines of business after January 1, 1961.

I do not offer this bill as an overall curative for the extremely serious noncompetitive situation that has developed among the automobile manufacturers. I offer it, however, as a step in the direction of curtailing the abuse of the power that has resulted from the great concentration among the automobile manufacturers. I do not believe that this bill will in any way affect the ability of any dealer in obtaining adequate financing or insuring for any car that he might sell to the consuming public. I am convinced that the results of my bill would be beneficial to untold numbers of small automobile finance companies as well as insurance companies. This bill would not prevent automobile manufacturers from extending credit to their dealers.

No longer is it necessary in the automobile industry for the manufacturer to have written requirements in the dealers' franchises in order to obtain for itself the new car financing and insuring business of its dealers. Being captive dealers, it is no more than logical to expect such business to be given to the manufacturers.

I am convinced that the Department of Justice and the Federal Trade Commission are powerless to cope with this problem under existing law. It is for this reason that I introduce this bill so that Congress can take the necessary step in order to retard the further trend toward monopoly control in the automobile industry. I concede that my bill is an extraordinary step, but I am convinced that if we are to preserve our free, competitive enterprise system, such measures are absolutely necessary. Care will be taken that investors will not suffer any tax burden resulting from this spinoff.

In order that other Senators may have an opportunity to become cosponsors to my bill, I ask unanimous consent that the bill lie on the table for 3 calendar days.

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

Mr. KEFAUVER. Mr. President, as has been stated by the distinguished Senator from Wyoming [Mr. O'MAHONEY] we have both prepared bills to deal with

automobile financing and the fact that at least one automobile company is in the financing or banking business.

The bill which I introduce on behalf of myself and the Senator from Missouri [Mr. HENNINGS] would not only deal with automobile manufacturers who are engaged in banking or financing, but also with automobile manufacturers in the insurance business.

I send the bill to the desk and ask for its appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Tennessee.

The bill (S. 839) to supplement the Sherman Act and the Federal Trade Commission Act by prohibiting automobile manufacturers from engaging in the businesses of financing and insuring automobiles purchased by consumers, and for other purposes, introduced by Mr. KEFAUVER (for himself and Mr. HENNINGS], was received, read twice by its title, and referred to the Committee on the Judiciary.

VOLUNTARY PENSION PLANS BY SELF-EMPLOYED INDIVIDUALS

Mr. MORTON. Mr. President, I introduce, for appropriate reference, a bill which incorporates intact the provisions of H.R. 10, introduced in the House of Representatives on January 7 by Representative KEOGH, and H.R. 9, introduced on that same day by Representative SIMPSON of Pennsylvania. This bill is identical to the so-called Jenkins-Keogh bill, which passed the House last year.

I realize that this is a tax measure and that the House will have to take action first. I understand that we may expect prompt action on the part of the Ways and Means Committee and the House itself on this measure. I introduce it in this body in order to bring this matter to the attention of my colleagues, especially those serving on the Finance Committee, since I feel that this legislation corrects a grave injustice in our tax laws.

The purpose of this bill is to encourage the establishment of voluntary pension plans by self-employed individuals. It seeks to provide, in respect to the establishment of retirement income, equality of tax treatment between the self-employed and employees. It would extend to the self-employed, who wish to make financial provision for retirement, a tax treatment no less favorable than that enjoyed by individuals employed by others. At present, an employee working for a company with an approved pension plan pays no current income tax on his company's contribution to his own retirement. The company, of course, deducts these pension costs as a legitimate business expense before calculating its own income taxes. Employees thus accumulate retirement benefits out of pretax dollars. A self-employed person, on the other hand, may make such retirement provisions only out of after-tax dollars. It seems to me that this establishes a very unjust discrimination. Let us take the doctors as an example. Most of them are in fairly high income tax brackets during the 15 or 20 years of their maximum earning capacity. It is during these years that they should provide for their own old age security. Yet it is during these same years that their personal income tax rates are at a peak. This, of course, operates against their ability to provide for security in their later years.

It is no secret that one of the big inducements which corporations hold out to young men who have been trained as engineers, accountants, scientists, even lawyers and in some cases, doctors, is the benefit of a very generous pension plan. Now I have nothing against the large corporations. I cannot blame them for recruiting the bright young brains of America, but I do think it is important to the future of this country that a certain number of these bright young men and women strike out for themselves. I do not want to see all of them hitch their destiny and their future to the large corporations with elaborate pensions plans.

Legislation similar to this has been adopted in Great Britain and Canada, and in New Zealand. The proposal which was enacted by the British Parliament is broader in scope than the bill which I introduce today. My bill applies only to the self-employed. The British bill took in the pensionless employed.

I realize that there are many who feel that, if we are to enact any legislation in this field, it should include everyone and not be restricted to just the self-employed. Such a proposal, in the first place, could be extremely costly to the Treasury. This, of course, would depend upon how many persons took advantage of the tax-forgiving features of the bill. In the second place, let me point out that most pension plans are the result of collective bargaining. The pensionless employee today has the opportunity to obtain pension plan benefits by negotiating with his employer just as he has the opportunity to obtain higher wages, better working conditions, sick leave, paid holidays, and so forth.

It may be that, at some future date, when the fiscal condition of our country is somewhat less precarious than at present, we might want to extend the coverage of this measure to the pensionless employed. However, I think it would be a great mistake to do so at this time. The real injustice is done to the self-employed.

The bill provides for tax deductions of amounts paid as retirement deposits with a maximum limit of $2,500 per year or 10 percent of the year's net earnings of the self-employed individual, whichever is the lesser amount. No deductions would be allowed an individual for any taxable year after he attains age 70. A lifetime limit on contributions to a retirement plan shall not exceed an amount equal to 20 times the maximum annual deduction allowable if the $2,500 annual limit were the only limit.

There are about 10 million self-employed people in this country. Nearly 8 million are sole proprietors or practitioners in some profession. The rest are engaged in partnership endeavors. Over 3 million are engaged in agriculture, forestry, or fishing. Over 4 million are small businessmen and the balance come from the professions, doctors, scientists, accountants, auditors, engineers, and so forth. These people all earn their way and contribute to a better future for our country by using their talents, skills, and brains as individuals and on their own. They constitute the very sinews of our free society. Yet our tax structure is such that we discourage these men and women on whom our national destiny rests so heavily. We actually encourage them to submerge their own individual efforts into some giant corporate effort for the sake of their own well-being after their productive years have expired.

The bill which I introduce corrects this inequity and I think that it is high time that the Congress took action in this field. As I said at the outset, I believe that the House of Representatives will pass a measure similar to this within the next few weeks. I trust that when this is done, the Finance Committee of the Senate will hold hearings and take favorable action on this proposal. You will recall that it was offered as an amendment to a tax bill last year but was ruled out on a point of order. I think that this subject is of sufficient importance to justify hearings by the Finance Committee and of sufficient merit to be favorably reported by that great committee.

I introduce the bill, Mr. President, and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 841) to encourage the establishment of voluntary pension plans by self-employed individuals, introduced by Mr. MORTON, was received, read twice by its title, and referred to the Committee on Finance.

LONG-TERM CONTRACTS FOR DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES

Mr. PROXMIRE. Mr. President, on behalf of myself, and the Senator from Oregon [Mr. NEUBERGER], I introduce, for appropriate reference, a bill for the purpose of enabling underdeveloped countries to buy substantial quantities of surplus American farm commodities for investment in public works projects, a measure that can best be described as a food for peace bill. A similar bill has been introduced in the House by Representative POAGE, ranking member of the Committee on Agriculture.

Food shortages are one of the principal obstacles to economic progress in many parts of Asia, Africa, and South America. People cannot be spared for work on roads, bridges, water systems, public schools, and other basic improvements, because they are needed in farming in order to provide barely enough to eat to survive from year to year.

My bill would authorize the Secretary of Agriculture to lend surplus food commodities to these countries on an investment basis. These loans would be repayable with interest over a period of up to 40 years, either in dollars or in goods or services needed by our own economy.

The major share of the cost of the capital improvements that are most urgently needed is for labor. And the major share of the labor cost in these economies can be paid in food. According to United Nations economists, 60 percent and more of the cost of many primary economic development projects can be paid for in the form of food.

My bill provides that the United States can enter into 10-year contracts to supply guaranteed annual amounts of wheat, rice, dried nonfat milk, and other surplus foods, so as to permit construction of more extensive and better planned projects than are possible through sporadic and uncertain supplies such as are permitted under present laws.

Completion of capital improvements of this kind will raise the productive power of these countries sufficiently to enable them to pay off the loans of food in dollars or goods and services which we need over a long-term period.

Moreover, by increasing the productivity and purchasing power of these underdeveloped economies, permanent markets may be developed for many kinds of manufactured products as well as farm commodities from the United States.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 842) to authorize the Secretary of Agriculture to make long-term contracts for the disposal of surplus agricultural commodities, and for other purposes, introduced by Mr. PROXMIRE (for himself and Mr. NEUBERGER), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

ASSISTANCE TO STATES FOR ESTABLISHMENT OF INSTITUTIONS FOR TREATING AND REHABILITATING JUVENILE DELINQUENTS

Mr. KEFAUVER. Mr. President, I introduce for appropriate reference on behalf of myself and the distinguished senior Senator from Missouri [Mr. HENNINGS], Senator from Colorado [Mr. CARROLL], and Senator from North Dakota [Mr. LANGER], a bill to provide for assistance to and cooperation with States for the establishment of institutions of a minimum-security type for treating and rehabilitating juvenile delinquents.

This measure, if enacted into law, would, in effect, aid States to aid themselves in coping with their delinquency problems. This would be accomplished in two ways: First, by broadening the Federal Property and Administrative Services Act of 1949 so that surplus Federal property, including military installations, could be used for the treatment of juvenile delinquents as well as for health, educational, and civil defense purposes; and, second, by providing funds in the form of grants to the States for the purpose of helping to establish, maintain, or operate institutions of a minimum-security type for the treatment and rehabilitation of juvenile delinquents.

The Subcommittee To Investigate Juvenile Delinquency, of which I am a member, has noted and been concerned with the lack of treatment facilities for certain types of delinquents. Often a judge is faced with the choice of sending a youngster to a State training school or releasing him on probation. Very often neither is a wise choice, particularly for young first offenders.

Although there are many well-operated training schools in the country, testimony developed at subcommittee hearings indicates that there are still many that resort to brutal disciplinary practices. Also, in many instances, these schools are overcrowded and understaffed, a situation which in itself precludes an effective rehabilitation program. One purpose in sending our boys and girls to a training school is for treatment so that they may return to society with the hope of becoming productive, useful members of the community. Very often just the reverse happens—many youngsters learn new criminal skills rather than the arts of constructive citizenship in the correctional schools where we place them. The rigidity of the program, the lack of adequate personnel, and the inability to treat the individual in the State training school make effective rehabilitation programs difficult, if not impossible.

On the other hand, when a youngster is released on probation to the custody of his parents, he is returned to the environment that may have caused his delinquency in the first place. There are, of course, many cases where it is desirable that a child be returned to his parents, and, regardless of the number and type of institutions available, this would be the proper treatment in these cases. For others, however, more constant supervision than can be provided by probation is necessary, particularly where the home situation, as so often is the case, is inimical to the welfare of the young person involved.

For these reasons, we feel that the bill introduced here is necessary to help close the gap in our treatment programs for delinquent young people and to provide a more flexible plan for dealing with youngsters who do not need the maximum security of the typical State training school, yet are not in a position to profit from probation. The programs envisioned in this legislation could take several forms. The one, however, for which we have the most hope is the forestry camp type of institution. Several States, notably California which pioneered the movement, already successfully operate such camps, and we believe that if this movement could be extended to all areas of the country it would prove of great benefit. The beauty of the forestry camp type of program is that it can more successfully rehabilitate certain of our delinquents and that it can accomplish this much cheaper than the conventional type of juvenile institution. These camps provide healthly and useful outdoor work for boys, and the treatment and education administered in this setting appear to be much more effective for some youngsters. The performing of physical labor and the learning of manual skills in themselves are often a tonic to many jaded youths who have never had the opportunity of doing meaningful and constructive work. In the treatment of delinquents more is involved, of course, than the mere physical setting. Any treatment program must provide for education and must have a competent, understanding, and intelligent staff. The measure which is being introduced makes provision for staff and other complementary features by the appropriation of money to the Secretary of Health, Education, and Welfare for the purpose of making grants to the States to help establish, maintain, and operate these programs.

There are other types of programs that are badly needed and sadly lacking in our overall treatment of delinquents. Many plans have been proposed for returning youngsters to society after they have been in correctional institutions. A "halfway house" type of program has been suggested for this purpose, and it is our understanding that such "halfway houses" are common in Europe. In such a setting, a small group of youngsters live together under adequate supervision in a homelike atmosphere. Generally, they are free to work or go to school or otherwise participate in the life of the community. Granted competent supervision and community cooperation, such centers could do much to put young persons on the road to self-sufficiency and constructive family living.

These are only two types of programs that might be initiated under this bill. There are other needs which may vary from community to community and from State to State. This legislation is flexible enough to allow for whatever type of program that may be necessary to meet particular needs.

There is no need for me to go into the matter of the seriousness of the delinquency problem in the Nation—the facts and figures on this matter are eloquent testimony to the urgency of the need. We here are not going to solve this problem completely by legislation; we can, however, help those whose responsibility the delinquents really are, that is, the citizens of the communities where they reside, to help their own delinquents by inaugurating an imaginative, constructive, and yet realistic program for the treatment of young people who are in trouble. Let us give a positive answer rather than merely join with those who deplore the continuing rise in delinquency and resort to useless handwringing as if that would by some magic effect a cure. I submit that the enactment of this legislation would be a step in the direction of constructive action.

Mr. President, I commend this bill to the attention of the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 850) to provide for assistance to and cooperation with States, or political subdivisions or instrumentalities thereof, for the establishment of institutions of a minimum security type for treating and rehabilitating juvenile delinquents, introduced by Mr. KEFAUVER (for himself, Mr. HENNINGS, Mr. CARROLL,

and Mr. LANGER), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EFFECT OF WITHDRAWALS OR RESERVATIONS OF PUBLIC LANDS ON CERTAIN WATER RIGHTS

Mr. O'MAHONEY. Mr. President, last year, during the sessions of the previous Congress, an effort was made to secure the enactment of legislation which would straighten out the tangle between Congress and the executive department with respect to western water rights. Toward the close of the last session, in May 1958, the Secretary of the Interior sent to the Senate a substitute bill, different in many respects from the measure which had been recommended by the Committee on Interior and Insular Affairs, but not satisfactory to many of those who believe that the water rights of the people living in local communities in their States are of such great importance that they should not be taken over by the Federal Government.

During the conferences held last week under the chairmanship of the chairman of the Committee on Interior and Insular Affairs, a group of Senators discussed this measure with the directors of the reclamation association.

Finally, as had been suggested, three of us formed a subcommittee to work upon the draft of a bill. It was felt desirable that we should hold early hearings to determine if it were not possible to obtain legislation which would be agreeable both to Congress and to the executive departments. An earnest effort has been made by the Secretary of the Interior to bring this about. When Secretary Seaton presented his substitute measure, he spoke for the other interested executive departments.

Now, on behalf of the subcommittee, consisting of the Senator from Nevada [Mr. BIBLE], the Senator from Colorado [Mr. ALLOTT], and myself, and also on behalf of certain other Senators, I introduce this measure. I ask that it be appropriately referred, with the understanding, however, that it lie on the desk for the balance of the week, so that those Senators who may desire to join in sponsoring it, may do so.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 851) to provide that withdrawals or reservations of public lands shall not affect certain water rights, introduced by Mr. O'MAHONEY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. BIBLE subsequently said: Mr. President, earlier today the distinguished senior Senator from Wyoming [Mr. O'MAHONEY] introduced, on behalf of himself and other Senators, a bill to provide that the withdrawal of reservations of public lands shall not affect certain water rights. I am pleased to join with the senior Senator from Wyoming and other Senators as cosponsor of the bill, Senate bill 851. This bill is substantially in the same form as recommended by the Secretary of the Interior in a letter of May 13, 1958, to the Chairman of the Committee on Interior and Insular Affairs as a substitute for the proposed Western Water Rights Settlement Act of 1957, which had been reported favorably by the committee on July 17, 1956, and which was designated as S. 863.

The Secretary of the Interior, in his letter, stated that the Department of Justice, Department of Defense, Department of the Interior, Department of Agriculture and Bureau of the Budget concurred in the proposed substitute language. It is our understanding that the substitute language represents a conciliation of divergent views of the executive agencies on the subject.

I would be less than frank with the Senate unless I stated that the substitute language fails to give what the West seeks as full or adequate protection for western water rights from the programs of some Federal agencies which, on occasion, have sought to escape compliance with the water laws of the Western States. Certainly, neither the substitute language in the Secretary's letter nor the text of the bill which was presented today, adequately meets the situations that the West has found are the bases for justified complaints of disregard by Federal agencies of the water laws of the Western States.

However, the West is confronted by the necessity of presenting to the Congress legislation that will be a step in the right direction. The substitute language, as modified somewhat in the bill introduced earlier today, gives recognition to the basic water laws of the Western States, including the constitutional provisions approved by the Congress when each State was admitted to the Union.

When hearings are held on the bill, full revelations of the intent, purpose, and effect of the provisions will be made. We hope that further concessions will be forthcoming from the executive agencies. We hope the hearings will develop facts and conditions that will justify strengthening the measure and thus promote cooperative programs between the Federal agencies and the States to develop the land and water resources of this vital segment of the Nation.

I ask unanimous consent that my statement regarding the water rights bill be printed in the RECORD at the conclusion of the remarks of the senior Senator from Wyoming.

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

AMENDMENT OF MINERAL LEASING ACT, 1920

Mr. O'MAHONEY. Mr. President, I introduce, for appropriate reference, two bills which I, as chairman of the Subcommittee on Public Lands of the Interior and Insular Affairs Committee, am introducing by request. Both of these measures deal with the same subject, namely, the prevention of the undesirable division of oil and gas leaseholds on the public domain. One of the bills is proposed by the Department of the Interior in an executive communication dated January 28, 1959. The other is an alternative proposal submitted to me by the Rocky Mountain Oil & Gas Association through Mr. Robert B. Laughlin, of Casper, Wyo., its executive vice president.

I wish to give notice, Mr. President, that the Public Lands Subcommittee will consider both of these measures and quite probably hold public hearings on them in order to determine which is the most desirable for the protection of the public and assuring the maximum development of the mineral resources of the public domain.

The problem with which these measures seek to deal is a serious one. For years, certain promoters have been offering to the public fractional oil and gas leases, usually in 40- or 80-acre tracts, at many, many times the charge made by the Federal Government. This activity not only results in loss to the investing public, but also has added greatly to the burdens of laws relating to the public domain and its mineral resources.

This situation and the evils resulting from it are explained in some detail in the executive communication from the Secretary of the Interior and in a letter of comment on an earlier but identical proposal that I have received from Mr. Frank Gallivan, an attorney, of Cheyenne, Wyo. I ask unanimous consent that both of these communications may be printed in the RECORD at this point in connection with my introduction of the proposed legislation.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the communications will be printed in the RECORD.

The bills, introduced by Mr. O'MAHONEY, by request, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, as follows:

S. 852. A bill to amend section 30(a) of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C., sec. 187a), to prevent the undesirable division of oil and gas leaseholds; and

S. 853. A bill to amend section 30(a) of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C., sec. 187a), to prevent the undesirable division of oil and gas leaseholds.

The communications presented by Mr. O'MAHONEY are as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 28, 1959.

Hon. RICHARD M. NIXON,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a proposed bill to amend section 30(a) of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C., sec. 187a), to prevent the undesirable division of oil and gas leaseholds.

We request that the proposed legislation be referred to the appropriate committee for consideration, and we recommend that it be enacted.

Section 30(a) of the Mineral Leasing Act, as amended by the act of July 29, 1954 (68 Stat. 585; 30 U.S.C., sec. 187a), provides that any oil or gas lease issued under the act may be assigned or subleased, with respect to all or any part of the acreage included therein, to any person qualified to own such a lease. All assignments or subleases of this type are

subject to final approval by the Secretary of the Interior.

In past years many persons advertising in newspapers and periodicals throughout the Nation have offered for sale to the public 40-acre oil and gas leases issued by the Government. The customary price for the sale of such a lease is $100. In their advertising these persons have implied that many can be lucky enough to strike it rich, relying solely on the information offered. In their advertisements such psychologically encouraging items are employed as maps which show oil activities within the particular State. Generally speaking, the prospective purchaser cannot distinguish between development and wildcat drilling. In reality, the profitable leasing of lands for oil and gas cannot be based simply on such information, but must, rather, be the result of the use of technical skill and science and by the investment of considerable sums of capital. The average layman, inexperienced in the oil industry and ignorant of the time and effort needed in the selection of drilling sites, can be easily misled by advertisements which report oil strikes.

Because of these advertisements there was an unprecedently heavy filing of oil and gas lease offers for 40-acre tracts; these leases were taken, we believe, purely for speculation. This tremendous influx of offers imposed a heavy burden on the various land offices. On June 17, 1952, departmental regulations (43 CFR 192.42(d)) were amended to provide that leases for less than 640 acres would be issued only under exceptional circumstances. Unfortunately, the amendment of these regulations was only a partial solution to this problem, since leaseholders could under the present terms of section 30(a) assign or sublease 40-acre tracts. Although the 1952 regulation generally prohibits the issuance of small oil and gas leases, advertisers are still able to offer for sale 40-acre leases assigned out of larger leases. The volume of work imposed by the requests for approval of such assignments is a heavy burden on our various land offices. Moreover, under existing conditions many people are the victims of misleading advertising.

Accordingly, we believe that section 30(a) should be amended to prohibit the Secretary of the Interior, under most circumstances, from approving any assignment offer covering less than 640 acres. We would, however, recommend that there be certain exceptions to that rule. One necessary exception would be where the entire acreage of an existing valid lease is less than 640 acres. Other exceptions would be where there is evidence that exploration or development will actually be undertaken in the assigned area. The enclosed draft bill would amend section 30(a) to accomplish these desirable results.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

MINERAL LEASING ACT OF FEBRUARY 25, 1920—AMENDMENT AS AMENDED (30 U.S.C., SEC. 187A), TO PREVENT THE UNDESIRABLE DIVISION OF OIL AND GAS LEASEHOLDS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 30(a) of the Mineral Leasing Act, as amended by the act of July 29, 1954 (60 Stat. 585; 30 U.S.C., sec. 187a) is further amended by the insertion of the following sentence immediately after the first sentence thereof:

"The Secretary shall not, however, approve any assignment of an interest in less than 640 acres except where (1) the proposed assignment covers the entire acreage of an existing valid lease which includes less than 640 acres, (2) the proposed assignee enters into an agreement, satisfactory to the Secretary, requiring the assignee within two years from the effective date of the assignment to commence drilling or to enter into a cooperative or unit plan of development or operation satisfactory to the Secretary, and posts a surety company bond to secure compliance with the agreement, and, in the event of the assignee's failure to comply therewith, the assigned portion of the lease shall be automatically terminated, (3) the lands covered by the proposed assignment are within a cooperative or unit plan of development or operation approved by the Secretary, or within a proposed cooperative or unit plan of development or operation pending for approval before the Secretary, or (4) the lands covered by the proposed assignment are within an oil or gas producing field."

CHEYENNE, WYO., *January 19, 1959.*

Senator JOSEPH C. O'MAHONEY,
Senate Interior Committee,
Senate Office Building, Washington, D.C.

DEAR SENATOR: Just prior to the close of the last session of Congress the Department of the Interior transmitted to the President of the Senate a proposed bill to amend section 30(a) of the Mineral Leasing Act of February 25, 1920, as amended. Because of the fact that Congress was about to adjourn, the bill was not formally introduced. However, I have been advised that the Department intends to introduce the bill in this session of Congress and press for its passage.

The bill was drafted by the Department in an apparent attempt to bring a halt to the selling of small tracts, usually 40 or 80 acres, to the general public by promoters through the median of newspaper and magazine advertisements.

The original entrepreneur who conceived this plan offered leases costing 50 cents per acre for as high as $5 per acre. As new opportunists flocked to the racket, the price gradually dropped to its present level of $1 per acre. The original promoter actually had no filing on the land but when he had the sucker's money he would secure an application signed in blank and send it to an agent in the city where the land office was located with instructions to fill in the application for the amount of acreage purchased. Usually he would designate a particular county in the State for filing. The agent who sometimes operated on a commission basis but usually on a flat $5 or $10 fee would then search the records for any 40-acre tract open for filing. Since a 40-acre tract costs a $10 filing fee plus $20 rentals for the first 3 years, the promoter has at this point paid $30 in rents and fees plus $10 commissions for a total investment of $40 for which he received $200, leaving a net of $160 on each 40-acre tract. If he sold 80 acres his fees and costs remained the same, but with $20 more rental, leaving him a profit of $340. As you can see, it was a lucrative racket. As others inevitably joined the parade and competition drove the price down, the profit element dropped to where it is hardly worth the effort, for a 40-acre tract costs $30 without commissions to the agent (these are now $2.50).

Thousands of these type leases were issued on the public domain resulting in an increasing and unprofitable workload for the local level land offices. For the most part, it appears that they have caused the oil industry itself less trouble than it caused the Government.

In 1952, the Department in a move to control this practice adopted a rule that provided that leases of less than 640 acres would issue only if the land applied for was isolated by surrounding leases or private lands. Since locating 40 or 80 acres that met the test of isolation was a difficult task, the promoters remaining in business commenced filing applications of 640 acres to the maximum allowable of 2,560 acres and now when they sell a 40- or 80-acre tract they merely assign that tract out of the existing lease.

Under the 1946 law the Secretary may disapprove an assignment only for lack of qualifications of the assignee and he now seeks the power embodied in the bill under discussion.

Since most of my work is concerned with title and ownership problems concerning Federal oil and gas leases, and these people increase my problems, I am in complete sympathy with the Department's plight, but I am unalteraby opposed to the legislation in question for I believe that the end results of the enactment of this statute as it now stands will do more harm to the orderly development of the public domain than even the Department anticipates. I have been an advocate of the ancient Chinese remedy of cutting off the head to cure the headache. In my opinion the Department is about 9 years late with their plan and not only has the horse been stolen but there is not even a barn door left to lock.

My objections to the bill as it now stands are many and often interlocking but for the purpose of this letter I will itemize them as follows:

1. Since the normal attrition of competition has driven the profit to a bare minimum, the promoters are not now nearly so aggressive or so numerous as they were in 1951 to 1955 and the administrative burden of approving these assignments is rapidly diminishing.

2. The number of tracts of less than 640 acres on the public domain not only arises from the assignment-type of transaction, but can also be traced to departmental practices, such as splitting leases partly within and partly without unit areas, and permitting partial surrenders of existing leases to leave remaining in the lease tracts of less than 640 acres. As a result of these and other conditions including geologic conditions, the Federal oil and gas leases on the public domain are now so divided that I would estimate that in Wyoming over 50 percent of the outstanding leases are now for 640 acres or less. Of the remaining leases, at least half, while embracing acreage in excess of 640 acres, are composed of noncontiguous tracts spread over an area of the allowed 6 square miles.

These leases all bear different expiration dates and as they are relinquished or canceled by Government action they are immediately applied for by 1 to 50 people which results in keeping the broken pattern in effect. If this bill is enacted and, as a result, assigned leases are canceled for failure to develop, the land will again be immediately applied for, thus keeping the broken lease pattern in effect.

As a result of the broken lease pattern, operating companies, to secure a 40- to 80-acre tract within what they consider a geologic structure, would be forced to either take all the lease, drill each parcel within 2 years or unitize. As a practical matter all of these alternatives are loaded with trouble for the operator.

As to the first requirement of the bill, take a case where a lease covers 80 acres in section 35 of a township, which the company considers within its geologic picture, but with the same lease also embracing 320 acres in section 6 of the same township. Under these conditions, which are not unusual, the company would be forced to take assignment of what it considers worthless land in section 6 to secure valuable land in section 35. In addition, bear in mind that the acreage limitation is 46,080 acres and you are forcing the purchaser to add to precious chargeability 320 unwanted acres. Multiply this by no

more than a few like situations in each area in the State of Wyoming and you will quickly have an operating company out of business because it is out its permitted acreage.

To illustrate this point, I enclose several ownership take-offs from the group which my office happened to be making at this time. Pick any four townships in any oil-active area in the State and we will make plats on them to illustrate that the situation described is more common than not.

As to the second requirement of the bill, I again call your attention to the plat diagrams I have attached and point out the broken condition of the acreage holdings. To drill a well on even part of the tracts in a potential structure within a 2-year period would be beyond the capabilities of even the wealthiest operator, particularly when you realize that in most of the Rocky Mountains and particularly in Wyoming we have reached the age of development where the average wildcat well is projected to depths of 8,000 feet or more. Most operators will tell you that today it is almost impossible to assemble a block of land, do geophysical work, clear titles, and move in to drill a rank wildcat area in a period of less than 2 years, and this bill could require them to be drilling one to a dozen wells to maintain leases in force before they had an opportunity to evaluate even the first well. In the gas areas in the State, spacing is usually on a 160-acre or 320-acre basis which would further complicate the picture.

As to the third requirement, it could be argued that if the land were unitized as provided therein, the objections raised to 1 and 2 above would be eliminated. This is probably true but the forming of an acceptable unit plan is not as easy as it would appear. The potential drilling operator often has other operators or leaseholders within the logical unit area who refuse to cooperate, and to bring all parties in the area into a unit is a considerable undertaking at any time. For the most part unitization, because of these difficulties, is used only where the geologic structure is sufficiently large to justify the time and expense. In many instances an operator would not have sufficient interests in the logical unit area to give the control required by USGS. I might point out that if unitization were as simple as it sounds very few operators would be holding the large amounts of direct chargeability with which they are now burdened.

3. The bill as it is now written is not in the alternative as to requirements 1, 2, and 3, but these could well be interpreted to be multiple requirements. If this legislation must be enacted these should be alternate requirements, and the word "or" should be inserted before "(2)" and "(3)."

4. Since the bill applies to "any assignment of an interest," X company could not assign a fractional leasehold interest to Y company in less than 640 acres without being brought under this section's restrictions.

5. The Department objects to the splitting of leases into these small tracts but they have consistently refused to permit the consolidation of previously assigned portions back into the base lease where one person, or operator, has been able to secure control of all subdivisions of the same lease. At the termination of a unit agreement they will not reconsolidate the lease which they themselves split. This seems inconsistent with their present position on this bill.

6. Prior to 1946, the Secretary of the Interior had assumed the right to deny assignments without reason and, for obvious reasons, this power was limited in the act of August 8, 1946. The reasons for taking that power away in 1946 are as valid today as they were then.

In my opinion, this bill would do as much toward limiting development on the public domain as any proposal that has been advanced since I have been in the business. I might point out that I have never once, to my knowledge, represented, performed any work or service for any of the promoters involved and have consistently refused to have anything to do with any of them. In fact, they have caused me considerable work and expense each month since 1951.

I believe that the Department has a problem, although they also have many other problems of their own creation, which could easily be corrected, that constitute larger work burdens, but I believe that the suggestion advanced by the Rocky Mountain Oil & Gas Association will solve the problem without creating the chaos and difficulties which will arise under this bill.

Mr. John Gee as a representative of that association is forwarding additional information.

If hearings on this bill are to be held by the Senate committee, I am certain that it would be appreciated by all the industry if those hearings were held in either Casper or Denver after adequate notice is given.

Very sincerely yours,

FRANK M. GALLIVAN.

AMENDMENT OF INTERNAL REVENUE CODE, RELATING TO TAX RELIEF MEASURES FOR RAILROADS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to grant to railroads a form of tax relief which will enable them to take full advantage of any tax abatements granted to them by cities, counties, and States, in order to help them continue commuter service. I introduce the bill on behalf of the Senator from Massachusetts [Mr. SALTONSTALL]; my colleague, the junior Senator from New York [Mr. KEATING]; and myself.

This proposed legislation is specifically cited by the New York State Public Service Commission, in its report issued January 28, as a bill which should be enacted if Congress is to meet its responsibility toward solving the current national crisis in railroad passenger service. The Commission's report follows Governor Rockefeller's call for action to help maintain railroad commuter service.

I introduced and worked for passage of a similar bill during the last session in connection with the fight to ameliorate those provisions of the Transportation Act of 1958 which would make it too easy for railroads to receive Interstate Commerce Commission approval of plans to discontinue commuter services.

This proposed legislation would amend the Internal Revenue Code of 1954 to assure that tax relief granted by States and municipalities to railroads operating commuter services at a loss would directly benefit the railroads and not be absorbed by increased Federal taxes.

The New York Public Service Commission has recommended this measure. It would provide Federal leadership without preempting State functions, and Federal assistance without interfering in railroad management, which would in turn encourage States and localities to offer desperately needed help at their level.

Specifically, adoption of this measure would prove a powerful stimulus to local governments to grant tax exemptions and abatement to railroads which are operating necessary but unprofitable passenger commuter services. The present Federal tax laws discourage such help. Using the year 1957 as an example, had New York and its municipalities forgiven the approximately $45 million in taxes they collected from the railroads, the Federal Government could have stepped in to collect as much as $23 million of this amount, even though it was intended to help railroads continue operating commuter service. Had my proposal been law at that time, the Federal Government could not have collected this amount, and millions of dollars could have been spent by railroads for continuance and improvement of such vital passenger service.

Today, the Long Island Railroad reaps the benefits of a comparable tax situation. Because millions in tax forgiveness granted by the State and city are not being siphoned off by Federal corporation taxes, due to tax loss carryovers from previous years, this railroad is the only line in the East which does not operate commuter service at a net loss. However, in 1962 the present Federal loss benefit will probably be exhausted, and the Federal Government will start to collect the majority of the tax benefits which have been granted by New York State and City. This prospect is expected to seriously jeopardize plans for reducing fares, installing equipment, and providing safer, more efficient service.

The New York Public Service Commission has also recommended that Congress pass legislation to eliminate the present 10 percent Federal tax on passenger fares; such a bill has already been introduced in this session by the Senator from Florida [Mr. SMATHERS]. His measure will show that the Federal Government as well is willing to give up tax revenues in the interest of preserving passenger service, and thus should stimulate additional State action in this field.

At the present time, railroad commuter service operates at a net loss almost everywhere in the Nation, with the focal point of the problem the New York metropolitan area. Daily 208,000 railroad commuters come into New York City from the outlying districts, including suburbs in New Jersey and Connecticut, as compared to the 100,000 commuters who come by car. If all commuter service by rail were to be discontinued tomorrow, it is estimated that the entire area from 60th Street in midtown Manhattan southward to the tip of the island would have to be converted into a parking lot to accommodate the cars of the commuters.

Nationally, there are 500,000 railroad commuters. The railroads estimate that the losses they incurred which were solely attributable to the cost of providing this passenger service amounted to $165 million in 1958; that amount is more than double the estimated loss in 1954 of $76 million.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 858) to amend the Internal Revenue Code of 1954 so as to permit railroad corporations to take full advantage of tax relief measures enacted or granted by the States and their political subdivisions, introduced by Mr. JAVITS (for himself, Mr. KEATING, and Mr. SALTONSTALL), was received, read twice by its title, and referred to the Committee on Finance.

INCLUSION OF CERTAIN PROPERTY DAMAGE WITHIN FLOOD CONTROL ACTIVITIES OF FEDERAL GOVERNMENT

Mr. YOUNG of Ohio. Mr. President, I introduce, for appropriate reference, a bill declaring the inundation of property because of, or aggravated by, wind, waves, or tidal effects on the Great Lakes to be properly within the flood-control activities of the Federal Government. I ask unanimous consent that the bill may lie on the desk for 3 days to permit any Senators who desire to cosponsor it to affix their signatures.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Ohio.

The bill (S. 859) declaring the inundation of property because of, or aggravated by, wind, waves, or tidal effects on the Great Lakes to be properly within the flood-control activities of the Federal Government, introduced by Mr. YOUNG of Ohio, was received, read twice by its title, and referred to the Committee on Public Works.

Mr. YOUNG of Ohio. Mr. President, the bill is for the purpose of procuring a congressional declaration that the inundation of property because of, or aggravated by, wind, waves, or tidal effects on the Great Lakes comes within the flood-control activities of the Federal Government.

Briefly, the situation is this. In 1936, the Congress passed the Flood Control Act of 1936, bringing within Federal jurisdiction the control of floods on rivers, navigable waters, and other waterways. Although no specific reference was made to the Great Lakes, nor to any waterway, flood-control projects were authorized for our area in Flood Control Acts subsequently enacted pursuant to the specific authority contained in the 1936 act.

Despite this manifestation of congressional intent to include the Great Lakes in the scope of the 1936 act, the Director of the Bureau of the Budget declared during the 80th Congress that it was not the intent of Congress—in the 1936 act or subsequently—to include lake and tidal floods within the national program for flood control. The then Secretary of War rejected this position, pointing out that amending acts had included the words "floods aggravated by or due to wind, or tidal effect," and that congressional authority for one Lake Erie project included such language. Later, in 1948 and in 1950, Congress again manifested its intent by authorizing flood protection projects on Lake Michigan, Lake Erie, and Lake Ontario. The Bureau of the Budget, however, steadfastly maintained that the 1936 act does not contain legislative authority for these Great Lakes projects. It has stated repeatedly that until Congress takes affirmative action to expand the policy enunciated in the Flood Control Act of 1936, it will not consider any projects authorized by Congress for flood control on the Great Lakes to be in accord with the national program for flood control.

It thus becomes clear that a demonstration of congressional intent satisfactory to the Bureau of the Budget will require specific legislation.

AMENDMENT OF FEDERAL RESERVE ACT, RELATING TO USE OF VAULT CASH HOLDINGS

Mr. PROXMIRE. Mr. President, I introduce a bill which would authorize the Board of Governors of the Federal Reserve System to permit member banks to include in their required reserves all or part of their vault cash holdings, in addition to their balances with Federal Reserve banks.

This proposal was recommended by the Board of Governors of the Federal Reserve System a year ago and was included in the amendments proposed in S. 3603, 85th Congress. However, no action was taken on the bill.

Before the Federal Reserve System was established, vault cash was the final reserve of the banking system, since it alone was available to meet cash withdrawals. The Federal Reserve banks, however, have been empowered to grant additional reserves or cash when needed. Vault cash holdings and reserve balances at the Reserve banks are interchangeable and both serve the same purpose in influencing the volume of bank credit. Accordingly, both should equally be counted as reserves.

Counting of vault cash as reserves would have other advantages: It would encourage the holding by member banks of larger stocks of currency that would be available over widely dispersed areas for use in a national emergency. This amendment would make it possible to release more than $2 billion of reserves for all member banks. Country banks in the aggregate hold nearly $1.3 billion of vault cash, amounting to almost 4 percent of their net demand deposits, or about one-fourth of their present required reserves. Reserve city banks, as a group, have vault cash holdings amounting to 1.7 percent of net demand deposits, or less than one-tenth of their total required reserves. The vault cash holdings of many large city banks, however, including most central reserve city banks, amount to 1 percent or less of their net demand deposits and a small fraction of their required reserves.

In view of these differences between the vault cash holdings of different classes of banks, and between different banks, an automatic change to permit counting vault cash holdings as reserves would have an unduly upsetting effect. Accordingly, the proposed bill authorizes the Federal Reserve System to permit banks to count all or part of their currency and coinage as reserves.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 860) to amend section 19 of the Federal Reserve Act with respect to the use of vault cash holdings as required reserves against deposits, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

CONTROL OF NOXIOUS WEEDS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to provide for the control of noxious weeds on land under the control or jurisdiction of the Federal Government.

Mr. President, this bill would aid in making State weed-control programs effective by giving the States authority to require removal of noxious weeds from Federal lands, with the expense to be borne by the Federal agencies controlling such lands.

Approximately 4 million acres of tax-exempt land in Minnesota is under control of the Federal Government, such as Indian lands, conservation land, or forest areas, islands, and so forth.

Minnesota has a very effective weed law, enforced by the commissioner of agriculture through the director of the division of plant industry, with the services of 10 district weed and seed inspectors and county inspectors in all of the counties, and also the 3 supervisors in each of the 1,841 townships for a total of 5,523 township inspectors, and the mayors of the 805 villages and cities.

In carrying out the weed-control program of our State, these inspectors find it very difficult to ask our farmers to control their weeds when weeds on State and Federal lands cannot be controlled due to a lack of funds allocated for this purpose. Some 6 years ago the Minnesota Legislature appropriated $10,000 annually for the control of weeds on tax-exempt lands, and as a result all complaints as to weeds on State lands have been taken care of. However, much of the problem on Federal lands still remains.

In the past, in order to avoid a general breakdown of the program, it has been necessary to spend some of the State fund for weed control on Federal lands, such as the control of leafy spurge on the Forget-Me-Not Island near Lake Park in Becker County and Canadian thistle on the Indian reservation in Yellow Medicine County.

To date, no funds have been provided for the control of weeds on Federal lands by the Federal Government. It is only reasonable and just that this situation should be corrected, as it does not seem logical that the farmers of a State should be required to destroy their weeds while the Federal Government is not required to keep the weeds on lands under their supervision under control.

While I have outlined this problem from the standpoint of Minnesota, the same situation applies in other States.

The regulatory, extension, industrial, and research people of the 14 Midwestern States and 4 Provinces of Canada have an organization known as the

North Central Weed Control Conference which meets annually for the discussion of weed control. Minnesota is a member, and plays an important role in the functions of this organization. The North Central Weed Control Conference has passed resolutions requesting the Federal Government to provide funds for such a purpose, and the organization has asked Minnesota to take the lead in bringing this about.

The commissioners and secretaries of agriculture of the States have also made similar requests.

The amount involved is not large. We estimate that an appropriation of $10,000 annually would be sufficient for taking care of the weeds on Federal lands in Minnesota.

All this bill would do is authorize such expenditures by Federal agencies supervising these lands, making them responsible for complying with State weed laws on the same basis as owners of privately owned lands.

If the Federal department, agency, or independent establishment involved has failed to comply with weed-control procedures under State law, this bill would authorize State commissioners of agriculture, or other proper agencies, of any State which has in effect such a program to enter upon Federal land, with permission of the head of the appropriate Federal agency, to destroy by appropriate methods noxious weeds growing on such lands. It further provides that States shall be reimbursed by the Federal agency involved for any expenses incurred in such weed removal, provided the Federal agency left it up to the State agencies to remove the weeds rather than do it themselves.

I urge active support for this measure, particularly from other Midwestern States confronted with a similar problem.

These noxious weeds cause a severe economic loss annually to agriculture unless they are controlled, and it is unfair to expect farmers to wipe out weeds on their own property, at their own expense, if seeds from similar weeds are blown all over the State from patches of noxious weeds on federally owned property.

An identical bill was introduced in the last session of Congress and passed the Senate by unanimous consent. I hope that the Senate will again approve this measure and that it will become law, in order to correct this glaring weakness in the weed eradication programs of the various States.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 861) to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

FAMILY MILK PLAN

Mr. HUMPHREY. Mr. President, at the request of the National Milk Producers Federation, I am introducing a bill to establish a family milk program for needy families, with the junior Senator from Wisconsin [Mr. PROXMIRE] as cosponsor.

Mr. President, I am sponsoring this measure because I believe it is a step in the right direction of encouraging greater consumption of fluid milk as the most realistic and least costly way of improving the economic conditions of dairy farmers, while at the same time providing improved nutrition among low-income groups of the Nation.

Perhaps this measure is too modest, and does not go far enough. It has been designed only to make use of the balance of section 32 funds, which have already been appropriated by the Congress for the diversion of surplus agricultural commodities from the normal markets. We have been informed that approximately the amount of money called for in the bill will remain unused by the Secretary of Agriculture at the end of this fiscal year, unless otherwise directed by the Congress.

I would prefer serious consideration as to the extent of the need for improved nutrition through increased consumption of fluid milk before making a final determination as to the level of such a program. For that purpose, before proceeding with action on this bill in committee, I intend to ask the chairman of our Committee on Agriculture and Forestry for the opportunity of an exploratory hearing to develop the full picture of the need for expanded milk consumption for the Nation's health, as well as examining the possibilities of using increased consumption as a more practical means than now exists of protecting dairy income.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 862) to establish a family milk program for needy families in the interest of improved nutrition through increased consumption of fluid milk, introduced by Mr. HUMPHREY (for himself and Mr. PROXMIRE), by request, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

EDUCATION ASSISTANCE ACT OF 1959

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, the Education Assistance Act of 1959, a bill to provide a 5-year program of Federal aid to States and localities for expanded school construction to eliminate the existing classroom shortage and for the purpose of increasing teachers' salaries with special provision for science and mathematics teaching. The Senate Educational Subcommittee, of which I am a member, will start hearings on Federal education aid legislation on Wednesday, February 4.

My bill is divided into four major titles, providing authorizations over a 5-year period as follows:

Title I: Grants to be appropriated at the rate of $400 million annually to the States on a dollar-for-dollar basis for school construction in communities, under priorities established by State educational agencies;

Title II: Loan funds up to an aggregate of $750 million for the purchase of school construction bonds issued by communities unable to find markets for them at reasonable interest rates;

Title III: Federal advances, not to exceed a total of $150 million, to back the credit of State agencies issuing bonds to finance schools for local school districts;

Title IV: Grant expenditures to States starting at $100 million for fiscal 1960, and increasing $50 million a year to a maximum of $250 million annually, for a 5-year program to supplement the salaries of qualified teachers. States may submit plans to include special salary supplementation for teachers of science and mathematics.

Despite more than a decade of unprecedented effort by States and localities, an acute national shortage of classrooms and qualified teachers persists. Only the establishment of a major national defense emergency program of Federal assistance can help solve critical problems such as these:

Depressingly low pay standards for teachers. Their pay is 37 percent under the average income in 17 professions, and at the start teachers average pay of $2,000 a year less than the pay received by beginning engineers.

A downward trend in school construction last year of almost 3,000 classrooms compared to 1957, which means our backlog of school building needs may not be wiped out until 1984, a timelag we cannot afford.

Overcrowded classrooms, particularly in major U.S. cities, where 40 percent of all elementary pupils try to learn in classes of 35 and over, compared to the optimum ratio of 25 pupils to 1 teacher.

In 1957–58, about 3 percent of our gross national product, or $13 billion, was spent on public school education. It was less than we spent as a nation for recreation, for automobiles, or for tobacco and alcohol in 1957. And it was clearly inadequate to provide either the standard of instruction or the scope of educational opportunity needed for the fullest development of the mental resources of our youth, so essential to the promotion of human advancement, economic prosperity, and national security in the space age which is now upon us.

My bill would anticipate grant expenditures aggregating a maximum of $2,950 million by the Federal Government over the entire 5-year program; this amount is equivalent to 0.014 percent of our estimated gross national product for this year 1959 alone.

Last year, Congress reacted to the public alarm at our slow progress in light of Soviet Russia's remarkable scientific gains, and concentrated educational effort by passing the National Defense Education Act. It fell short of our clear national need, but at least it was the start of a catch-up program whose logical next step is the enactment of a temporary emergency measure, such as the Education Assistance Act I am proposing for primary and secondary schools.

By investing under 1 percent of this year's proposed Federal budget for each of the next 5 years, under this bill more

than $10 billion in Federal, State, and local expenditures for public education could be generated. We would construct new classrooms at the rate of 84,000 (at an average estimated cost of $40,000 per classroom), and thus eliminate the current backlog of 140,500 by the end of the program in 1964. Under present plans, 68,440 classrooms are to be built this year, with 23 States reporting plans to build fewer classrooms than they did during 1957–58; however, the grand total is barely sufficient to meet the new classroom requirements of 65,300 for excess enrollment, to say nothing of the 75,200 new classrooms needed to replace obsolete classrooms.

The Education Assistance Act of 1959 would supplement teachers' salaries and provide one-fourth of the amount required to raise their average pay 12 percent annually, the rate which should be sustained for 5 years if teaching salaries are to approach the median income in other professions.

Under title I of the proposed act alloting Federal funds to States on a matching dollar-for-dollar basis, New York and Texas could qualify for a maximum annual grant of $24.5 million, followed by Pennsylvania, $22.7 million; California, $22.6 million; Ohio, $18.6 million; Michigan, $16.6 million; Illinois, $16.4 million; North Carolina, $14.7 million; Georgia, $12.2 million; Alabama, $11 million; and Tennessee, $10.8 million. The remaining States could qualify for varying amounts of about $10 million or less, with Delaware at the bottom of the list—$619,000.

The formula used in my bill is similar, but not identical to the one incorporated in the School Assistance Act of 1957—H.R. 1, 85th Congress—reported by the House Committee on Education and Labor, but defeated by a close vote in 1957.

My bill would allocate $400 million in grants among the States, half on the basis of relative school-age population and half on the basis of a need formula, and takes into account each State's school-age population, financial ability, and actual expenditures to meet school needs. However, under the new method of calculating the school effort index, States which shut down schools to avoid obeying court orders to desegregate might receive reduced allotments. In figuring the index, States are not allowed to count moneys earmarked for school expenditures, but only that which is actually spent; in addition, money paid in salaries to teachers who are still on the payroll, although their schools may have been closed down, cannot be credited as an actual expenditure on which Federal aid may be based. Where the school effort index falls below the national average, indicating that the State is not exerting sufficient effort, its original allotment will be lowered, and the total reduction reassigned proportionately among other States.

Second to no other problem in severity is the shortage of qualified teachers even in States with the highest average teaching salaries, according to the National Education Association. Although talented college graduates do enter the field in the face of beginning salaries ranked 17th from the top of a list of professional salaries, how many can be persuaded to stay if, at the end of 10 years, their pay increase averages only one-third that in the sales profession and less than half as much given accountants.

This proposed legislation proposes the expenditure of $950 million to supplement teachers' pay during the program, in recognition of the fact that to end half-day sessions, hire new teachers for the more than 1 million new pupils enrolling each year, and to raise salaries at least relative to those paid qualified personnel in other professions, we must increase total amounts paid teachers to $14 billion by 1965. Even though States and localities exert maximum effort, it appears most unlikely that they can maintain more than the status quo without outside help.

Alternate methods of financing new school construction are also included in the Education Assistance Act of 1959. Title II authorizes the Commissioner of Education to purchase up to a total of $750 million, over a 5-year period, in community school bonds to assist localities which cannot obtain financing from other sources on reasonable terms. School districts with low assessed valuations, with unknown credit ratings, and those subject to sudden shifts in population or industry are most likely to benefit under this provision.

To provide immediate school construction in rapidly expanding suburban areas, which are growing several times faster than the national population rate, title III would provide $150 million to share equally with the States the cost of establishing and maintaining a reserve fund equal to 1 year's payment of principal and interest on bond issues by State educational agencies to build schools. If this money is fully utilized, approximately $6 billion in such bonds could be issued.

Critics who would attack this bill on the grounds that it could lead to Federal domination and control of public school education in this country are ignoring the successful record of Federal educational assistance programs which have operated in the past with no hidden strings attached. Federal aid to land grant colleges dating back to 1862, the aid to federally impacted areas bill passed in 1950, and last year's Defense Education Act involved actual instruction of students as well as physical construction. They have not been attacked as instruments designed to snatch away control. The act I am proposing specifically states that in its administration, the Federal Government shall not exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction in any school or school system.

Its purpose is not to negate the fundamental responsibility of the States and localities for education; rather, it recognizes that the national interest requires that Federal assistance be extended to them in handling their urgent school problems. If we do not finance a major national program along these lines, then we are sentencing growing millions of our children to study in obsolescent, overcrowded, and sometimes unsafe classrooms. Imposing such a severe educational handicap on the next generation which must meet the tremendous world and Communist challenges in science, technology, and almost every other field holds the gravest consequences for the future of our country and of the freedom we hold to be indispensable to our national and personal existence.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 863) to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms and in providing increased amounts for teachers' salaries, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PROTECTION AGAINST INTRODUCTION AND DISSEMINATION OF DISEASES OF LIVESTOCK AND POULTRY

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to provide greater protection against the introduction and dissemination of diseases of livestock and poultry.

Mr. President, this proposed legislation would give the Secretary of Agriculture authority to properly dispose of animals which have been brought into this country or moved interstate in violation of a Federal quarantine, or which have been found on such movement to be infected or exposed to a dangerous communicable disease.

The Department of Agriculture is now powerless to seize and dispose of many such animals regardless of the disease involved as they can proceed against the violator only through normal court action. The disposal of animals under the proposed new authority would be in conformity with the requirements of the situation; for instance, one action might be taken in the case of foot-and-mouth disease and an entirely different action in the case of a less dangerous disease.

My bill also recognizes the dilemma in which the Department of Agriculture and the livestock producers of the Nation would find themselves in the event of an emergency outbreak of foot-and-mouth disease and the inability of an individual State to carry its share of the eradication effort. This proposed legislation would give the Secretary of Agriculture power to act in case of an extreme emergency, such as an unchecked outbreak of foot-and-mouth disease.

The Department of Agriculture has close cooperative arrangements with all the States looking toward the prevention of any such emergency condition through prompt cooperative action. In most circumstances these arrangements would prove most successful, but, in view of the increasing international traffic and the recent outbreaks of foot-and mouth disease in Canada and Mexico, we must be prepared to act immediately

in case of an outbreak of an extremely dangerous foreign disease. We must also consider the possibility of biological warfare against our livestock.

In addition, this bill pertains to payments of indemnities, the cleaning of facilities, and the authority to inspect. The provisions regarding importation of livestock into the United States are necessary in order to deal adequately with such long incubation period diseases as scrapie and with livestock that have at one time or another been diseased or exposed to foot-and-mouth disease.

The remaining portion of the bill would amend current legislation to make the present laws to protect livestock and poultry more applicable to any disease. It also would relieve some uncertainty as to the coverage of Department of Agriculture employees under the statutes prohibiting assault upon or interference with the work of certain Federal employees. I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 864) to provide greater protection against the introduction and dissemination of diseases of livestock and poultry, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That as used in this Act unless the context indicates otherwise—

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "animals" means all members of the animal kingdom including birds, whether domesticated or wild, but not including man.

(c) The term "United States" means the States, Puerto Rico, Hawaii, Guam, the Virgin Islands of the United States, and the District of Columbia.

(d) The term "interstate" means from a State or other area included in the definition of "United States" to go through any other State or other such area.

SEC. 2. (a) The Secretary, whenever he deems it necessary in order to guard against the introduction or dissemination of any communicable disease of livestock or poultry, may seize, quarantine, and dispose of, in such manner as he deems necessary or appropriate (1) any aminals which he finds are moving or are being handled or have moved or have been handled contrary to any law or regulation administered by him for the prevention of the introduction or dissemination of any communicable disease of livestock or poultry; (2) any animals which he finds are moving into the United States, or interstate, and are affected with or have been exposed to any communicable disease dangerous to livestock or poultry; and (3) any animals which he finds have moved into the United States, or interstate, and at the time of such movement were so affected or exposed.

(b) Whereas the existence of any extremely dangerous, communicable disease of livestock or poultry, such as foot-and-mouth disease, rinderpest, or European fowl pest, on any premises in the United States would constitute a threat to livestock and poultry of the Nation and would seriously burden interstate and foreign commerce, whenever the Secretary determines that an extraordinary emergency exists because of the outbreak of such a disease anywhere in the United States, and that such outbreak threatens the livestock or poultry of the United States, he may seize, quarantine, and dispose of, in such manner as he deems necessary or appropriate, any animals in the United States which he finds are or have been affected with or exposed to any such disease and the carcasses of any such animals and any products and articles which he finds were so related to such animals as to be likely to be a means of disseminating any such disease. The Secretary shall notify the appropriate official of the State or other jurisdiction before any action is taken in any such State or other jurisdiction pursuant to this subsection.

(c) The Secretary may order the owner of any animal, carcass, product, or article referred to in subsection (a) or (b) of this section, or the agent of such owner, to dispose of such animal, carcass, product, or article in such manner as the Secretary may direct.

(d) Except as provided in subsection (e) of this section, the Secretary shall compensate the owner of any animal, carcass, product, or article destroyed pursuant to the provisions of this section. Such compensation shall be based upon the fair market value as determined by the Secretary, of any such animal, carcass, product, or article at the time of the destruction thereof. Compensation paid any owner under this subsection shall not exceed the difference between any compensation received by such owner from a State or other source and such fair market value of the animal, carcass, product, or article. Funds in the Treasury available for carrying out animal disease control activities of the Department of Agriculture shall be used for carrying out this subsection.

(e) No payment shall be made by the Secretary for any animal, carcass, product, or article which has been moved or handled by the owner thereof or his agent in violation of any law or regulation administered by the Secretary for the prevention of the introduction or dissemination of any communicable animal disease, or any law or regulation for the enforcement of which the Secretary enters or has entered into a cooperative agreement for the control and eradication of any such disease, or for any animal which has moved into the United States contrary to an embargo imposed by any such law or regulation administered by the Secretary.

SEC. 3. The Secretary, in order to protect the health of the livestock or poultry of the Nation, may promulgate regulations requiring that railway cars; vessels; airplanes; trucks; and other means of conveyance; stockyards; food, water, and rest stations; and other facilities, used in connection with the movement of animals into or from the United States, or interstate, be maintained in a clean and sanitary condition, including requirements for inspection, cleaning, and disinfection.

SEC. 4. The Secretary is authorized to promulgate regulations prohibiting or regulating the movement into the United States of any animals which are or have been affected with or exposed to any communicable animal disease, or which have been vaccinated or otherwise treated for any such disease, or which he finds would otherwise be likely to introduce or disseminate any such disease, when he determines that such action is necesasry to protect the livestock or poultry of the United States.

SEC. 5. Employees of the Department of Agriculture designated by the Secretary for the purpose, when properly identified, shall have authority (1) to stop and inspect, without a warrant, any persons or means of conveyance, moving into the United States from a foreign country, to determine whether such person or means of conveyance is carrying any animal, carcass, product, or article regulated or subject to disposal under any law or regulation administered by the Secretry for prevention of the introduction or dissemination of any communicable animal disease; (2) to stop and inspect, without a warrant, any person or means of conveyance moving interstate upon probable cause to believe that such person or means of conveyance is carrying any animal, carcass, product, or article regulated or subject to disposal under any law or regulation administered by the Secretary for the prevention of the introduction or dissemination of any communicable animal disease; and (3) to enter upon, with a warrant, any premises for the purpose of making inspections and seizures necessary under such laws and regulations. Any Federal judge, or any judge of a court of record in the United States, or any United States commissioner, may, within his jurisdiction, upon proper oath or affirmation indicating probable cause to believe that there is on certain premises any animal, carcass, product, or article regulated or subject to disposal under any law or regultion administered by the Secretary for the prevention of the introduction or dissemination of any communicable animal disease, issue warrants for the entry upon such premises and for inspections and seizures necessary under such laws and regulations. Such warrants may be executed by any authorized employee of the Department of Agriculture.

SEC. 6. (a) Whoever violates any regulation promulgated pursuant to the provisions of sections 1 through 5 of this Act shall be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both.

(b) The Secretary may bring an action to enjoin the violation of, or to compel compliance with, any regulation promulgated or order issued under said sections, or to enjoin any interference by any person with an employee of the Department of Agriculture in carrying out any duties under said sections, whenever the Secretary has reason to believe that such person has violated, or is about to violate, any such regulation or order, or has interfered, or is about to interfere, with any such employee. Such action shall be brought in the United States district court, or the United States court of any Territory or possession, for the judicial district in which such person resides or transacts business or in which the violation, omission, or interference has occurred or is about to occur. Process in such cases may be served in any judicial district wherein the defendant resides or transacts business or wherever the defendant may be found, and subpenas for witnesses who are required to attend the court in any judicial district in any such case may run into any other judicial district. No costs shall be assessed against the United States in any such case.

SEC. 7. Section 11 of the Act of May 29, 1884, 58 Stat. 734, as amended (21 U.S.C. 114a), is further amended by inserting the words "any communicable diseases of livestock or poultry, including, but not limited to," after the word "eradicated".

SEC. 8. (a) The first section of the Act of March 3, 1905, 33 Stat. 1264, as amended (21 U.S.C. 123), is further amended by striking out the phrase "cattle or other livestock" and inserting in lieu thereof the words "any animals", and by inserting after the word "disease" the words "of livestock or poultry, or that the contagion of any such disease exists or that vectors which may disseminate any such disease exist in such State or Territory or the District of Columbia".

(b) Sections 2, 3, and 4 of such Act, 33 Stat. 1264, 1265, as amended (21 U.S.C. 124, 125, 126), are further amended by striking out the phrase "cattle or other livestock" each time such phrase appears in those sections and inserting in lieu thereof the words "quarantined animals".

SEC. 9. The first proviso under the heading "General Expenses, Bureau of Animal Industry" in the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916", approved June 30, 1914, 39 Stat. 419, as amended (21 U.S.C. 128), is further amended by striking out the phrase "cattle or other livestock" and inserting in lieu thereof the words "quarantined animals".

SEC. 10. Section 1114 of title 18 of the United States Code is amended by inserting after "wild birds and animals," the following: "any employee of the Department of Agriculture designated by the Secretary of Agriculture to carry out any law or regulation, or to perform any function in connection with any Federal or State program or any program of Puerto Rico, Hawaii, Guam, the Virgin Islands of the United States, or the District of Columbia, for the control or eradication or prevention of the introduction or dissemination of animal diseases,".

SEC. 11. The Secretary is authorized to issue such regulations as he deems necessary to carry out the provisions of this Act.

SEC. 12. The authority conferred by this Act shall be in addition to authority conferred by other statutes. Any provision of any other Act inconsistent with the provisions of this Act is hereby repealed.

SEC. 13. If any provision of this Act or application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

PROPOSED LEGISLATION RELATING TO EDUCATION

Mr. CASE of New Jersey. Mr. President, I introduce, for appropriate reference, three bills dealing with education. I hope that these will be considered when the Senate Subcommittee on Education of the Senate Committee on Labor and Public Welfare opens hearings on Wednesday.

The first of these bills is one originally proposed by President Eisenhower in 1956 and 1957, providing a program of Federal emergency assistance to the States for school districts needing aid to finance school facilities. I cosponsored these bills earlier and I only regret Congress did not complete action on them so that we could be 3 years further along in meeting this deficit in school facilities.

Under the bill annual appropriations of $325 million would be made for 4 years to the States on the basis of State income per child of school age, the number of such children and the relative State effort for school purposes. This is an emergency measure limited strictly to construction and would avoid any possible question of Federal control.

The shortage of public school classrooms remains at 140,500 and this means that some 2 million youngsters are receiving a second-class education in a country where free public education has always occupied a special place in our society. This is a matter of real shame. We cannot realize our ideal of adequate educational opportunity as long as youngsters are being taught in overcrowded and sometimes dangerously obsolete classrooms, as long as we are forced to hold classes in basement boiler-rooms, in school corridors, or even worse, to hold half sessions.

Our problem in the field of higher education is not yet as critical, but the shortage of college facilities is rapidly developing and, unless we move quickly, many of our brightest young men and women will be denied a college education.

For this reason, I am reintroducing two bills which I sponsored in the last session of Congress. The first would provide assistance to the States in surveying and planning college facilities. The bill is intended to stimulate the States, and the public at large, to recognize the extent of the problem we face and to begin making comprehensive plans for its solution. Wise planning will bring facilities for higher education to areas now without them, and will avoid duplicating facilities in other areas of the State.

The second bill would provide a program of financial assistance to the States for the construction of public community colleges. These 2-year colleges have been enthusiastically endorsed by President Eisenhower's Committee on Scientists and Engineers and President Eisenhower's Committee on Education Beyond the High School, as well as by numerous outstanding educational authorities.

The 2-year colleges cost less to build, since they do not require expensive dormitories, or elaborate eating and recreational facilities. For the students they provide the economic advantages of living at home and the possibility for a part-time job in the hometown. The end result is a much smaller drain on the family pocketbook.

If we are truly concerned about strengthening the Nation, we must be prepared to finance adequately our educational program. Good education is expensive, but it is essential to realizing fully our national greatness and our aspirations for the dignity of the individual.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. CASE of New Jersey, were received, read twice by their titles, and referred to the Committee on Labor and Public Welfare, as follows:

S. 877. A bill to authorize a 4-year program of Federal assistance to States and communities to enable them to increase public elementary and secondary school construction;

S. 878. A bill to provide assistance to the States in certain surveying and planning with respect to college facilities; and

S. 879. A bill providing a program of financial assistance to the States for the construction of public community colleges.

LOAN OF CERTAIN EQUIPMENT TO BOY SCOUTS OF AMERICA

Mr. BRIDGES. Mr. President, I introduce for appropriate reference two bills which will authorize the Secretary of Defense to loan, at no Government expense, certain equipment and services for the use of the Boy Scouts of America and Scout officials attending the world jamboree to be held in July and August of this year and the fifth national jamboree to be held in June, July, and August 1960.

The bills permit the Secretary of Defense to loan tents, cots, blankets, commissary articles and similar articles in stock and available for the use of some 500 Scouts at the world jamboree to be held in the Philippines and some 50,000 Scouts at the national jamboree to be held in Colorado Springs, Colo.

The success of the Boy Scout movement in this country over nearly half a century is very well known. I think it is appropriate that the fifth national jamboree, to which one of these bills refers, will mark the 50th anniversary of scouting in America.

In view of the outstanding accomplishments of this fine movement in the past in aiding the youth of America, I urge my colleagues to take favorable action on these measures.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. BRIDGES, were received, read twice by their titles, and referred to the Committee on Armed Services, as follows:

S. 884. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in the Philippines in 1959, and for other purposes; and

S. 885. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use at the Fifth National Jamboree of the Boy Scouts of America, and for other purposes.

INTERNATIONAL HEALTH AND MEDICAL RESEARCH ACT OF 1959

Mr. HILL. Mr. President, on behalf of myself and Senator HUMPHREY, Senator AIKEN, Senator ALLOTT, Senator BARTLETT, Senator BIBLE, Senator BYRD of West Virginia, Senator CANNON, Senator CARROLL, Senator CASE of New Jersey, Senator CASE of South Dakota, Senator CHAVEZ, Senator CHURCH, Senator CLARK, Senator COOPER, Senator DODD, Senator DOUGLAS, Senator EASTLAND, Senator ENGLE, Senator FULBRIGHT, Senator GREEN, Senator GRUENING, Senator HART, Senator HARTKE, Senator HAYDEN, Senator HENNINGS, Senator JACKSON, Senator JOHNSON of Texas, Senator KEFAUVER, Senator KENNEDY, Senator KERR, Senator KUCHEL, Senator LANGER, Senator LONG, Senator MAGNUSON, Senator MANSFIELD, Senator MCCARTHY, Senator MCGEE, Senator MCNAMARA, Senator MONRONEY, Senator MORSE, Senator MORTON, Senator Moss, Senator MURRAY, Senator MUSKIE, Senator NEUBERGER, Senator PASTORE, Senator RANDOLPH, Senator SALTONSTALL, Senator SCOTT, Senator SMATHERS, Senator SPARKMAN, Senator STENNIS, Senator SYMINGTON, Senator WILLIAMS of New Jersey, Senator YARBOROUGH, Senator YOUNG of North Dakota, and Senator YOUNG of Ohio, I introduce for appropriate reference a joint resolution entitled "The International Health and Medical Research Act of 1959."

This joint resolution is designed to establish machinery to help mobilize this country's health research resources so that our scientists can participate effectively in a concerted attack, in cooperation with research scientists of other lands, against the still unconquered diseases that have baffled and plagued mankind through the centuries.

In short, this measure will provide the means for American medical science to sound a world call for a common attack and a common advance against the cripplers and killers of mankind.

Mr. President, in the closing days of the last Congress I introduced a joint resolution practically identical to this one. The drafting of that resolution—Senate Joint Resolution 199 of the 85th Congress—had been a task of many months, involving intensive consultation with many experts in the field of research and in the field of international cooperation in research, including experts in the United States Public Health Service and the National Institutes of Health.

I introduced the joint resolution during the closing days of the 85th Congress in order to give all the groups and individuals who have been and are interested in this kind of a program an opportunity to study the terms of the resolution, and to make suggestions for modifications in its provisions.

Many comments were received, from all over the world, but mainly, of course, from doctors and scientists in the United States. I was gratified to find that the resolution, in the form introduced last year, met with widespread approval. I received very few suggestions for changes. Some few suggestions for technical changes were received, and a few technical modifications have consequently been made in the resolution as it was introduced last year. No suggestions for gross changes in substance or approach were made, and none have been made in the resolution which I am now introducing.

Mr. President, the joint resolution has been given the short title of "Health for Peace Act." We have given it this name because this is one of the goals, and this would be, we believe, one of the major contributions of this legislation.

If the governmental machinery and devices authorized in this proposed legislation are established, and if the programs authorized to be conducted are undertaken in the spirit in which they are set forth in the joint resolution, I have no doubt that the cause of peace, as well as the cause of health, will be greatly served. If the Congress passes this measure, notice will be served to all nations and all peoples that the U.S. Government desires that a new and substantial emphasis be given to world cooperation: not for conflict, not for war, not for the struggle of one nation against the other, but for cooperation in the struggle against every man's enemy, and the enemy of every man's family—disease and disability.

We seek from this program no benefits for ourselves except those which can be shared most broadly with every nation and every people—the benefit of knowledge of the nature of diseases and disabilities which still afflict mankind, and the techniques and facilities which are necessary to combat and overcome them.

Of course, this benefit to our own Nation would be a very, very great one—a benefit beyond monetary value by comparison with which the amounts of money authorized to be expended under the terms of this resolution pale into insignificance.

There is no doubt in my mind or, I believe, in the minds of the cosponsors of this legislation, that the $50 million annually proposed to be expended under the terms of this legislation will produce dividends that are beyond price—dividends that can be expressed only in terms of the hundreds and thousands, and perhaps hundreds of thousands, of lives that can and will be saved in our own country alone, not to speak of millions of lives that can and will be saved in other countries in the years ahead.

It is an incontrovertible fact, attested to by medical authority, that the greatest need in the field of medical research today is for four things: First, a freer flow of knowledge and information among the scientists and research workers of all nations; second, a coordination of research to avoid, to the maximum possible extent, duplication of research efforts here and abroad; third, a vastly expanded program of exchange of doctors, scientists, research workers, and technicians between this country and abroad by means of travel, study, and conferences; and fourth, a vastly expanded program of training of additional research scientists and technicians.

Mr. President, the underlying idea of this program of international cooperation in health and medical research is by no means mine alone. It is an idea that has been urged by doctors, scientists, and research authorities in this country and abroad for quite a few years now.

It is a concept with a considerable history among medical scientists and others concerned with the health of mankind. President Eisenhower gave voice to it in his state of the Union message of January 9 a year ago.

Last year the Congress adopted an amendment to the Mutual Security Act—an amendment proposed by the senior Senator from Minnesota [Mr. HUMPHREY] who, I am proud to say, is a cosponsor of this resolution, and to whose activities in this field I will refer in a moment. In that amendment to the Mutual Security Act the Congress of the United States declared that it is the "policy of the United States to continue and to strengthen mutual efforts among the nations for research against diseases such as heart disease and cancer. In furtherance of this policy, the Congress invites the World Health Organization to initiate studies looking toward the strengthening of research and related programs against those and other diseases common to mankind or unique to individual regions of the globe."

The purpose of the measure which I have introduced today is to implement this policy—to implement it domestically—by authorizing the establishment of governmental machinery for the effective mobilization of our own research facilities and resources and authorizing also a series of programs which will translate the declaration of a policy and a purpose into concrete action.

Let me make clear that the programs proposed in this joint resolution do not replace or affect any of the programs of cooperation with other countries in health matters now under way. Almost all of these are operational programs rather than research programs. They use already known techniques for the control and eradication of such epidemic diseases as malaria, hookworm, and tuberculosis. I believe that these programs should be expanded. But that is a question to be dealt with in other legislation. This resolution deals only with the encouragement of medical research on an international level.

Nor does the proposed legislation conflict in any way with the functions of the WHO or of any other international organization in the field of research.

I want to emphasize here again that the main purpose of this resolution is to mobilize the health resources of the United States, and to set up machinery within the U.S. Government, to enable this country to play its proper role in a worldwide health and medical research undertaking. The enactment of this legislation is essential to permit the United States both to take the lead and to do its part in this vital work.

Does anyone doubt that this task is essential? It is a matter of common knowledge that in the field of disease and disability we—both here in America and throughout the world—face problems of increasing gravity. Despite breathtaking progress in the control and cure of some diseases, we encounter each day new evidence that disease and disability are making fresh inroads upon our lives, our health, and our well-being.

New diseases and new varieties of diseases are appearing. Old immunities are disappearing. Diseases and infirmities to which some people in distant regions have had a natural immunity are reappearing there or they are appearing in new areas where there is no such acquired immunity. The expansion of air travel has brought old diseases to new places. Last winter America was invaded by a contagious virus originating in north China, which suddenly exploded by way of Hong Kong throughout much of the world, and resulted in the worldwide epidemic called Asiatic flu. A number of new and baffling viruses seem to be appearing in epidemic form. Where these come from—from what part of the world—no one knows.

Truly, disease is as international a problem as war itself.

Many of the millions and hundreds of millions of lives being saved by the conquest and control of some diseases are being attacked in increasing numbers by other diseases and disabilities to which medical science does not yet have a satisfactory answer—and, in some cases, no answer at all.

In 1957, cancer killed one American every 2 minutes. And of those who died

of cancer, 75,000 men and women were in their thirties, forties, and fifties—in the prime of productive life. Unless we find the answer to this dread disease in its many forms, two-thirds of all American families will be touched by cancer, and 40 million persons now alive in the United States will be disabled by cancer.

Around the earth, the incidence of cancer is on the increase in 33 countries.

Ten million Americans are currently suffering from heart and circulatory diseases. Last year diseases of the heart and circulatory system were responsible for more than 50 percent—some 800,000—of the total deaths in the United States. Of those who died from the failure of the heart or blood vessels, 158,000 had not reached the age of retirement.

Today there are between 9 and 10 million people in the United States who suffer from a mental illness or defect of sufficient seriousness to require hospitalization. Between 9 and 10 million hospital beds are thus occupied by mental patients. This is 1 out of every 20 men and women and children in America. The number is growing rather than declining. The cost of maintaining these mental patients—and this is a cost borne largely by State and local government—has increased almost to the breaking point in recent years. Yet, for many, if not most, of these mental patients the only hope of recovery and restoration to useful life lies only in the possibility of new discoveries which remain yet to be made, developed, and tested by the research scientists of the world.

I have been talking about diseases that take their toll in the hundreds of thousands of lives and, in the case of mental illness, remove millions from a productive life and make them an almost unbearable burden upon the resources of government.

There are also other, but statistically lesser, diseases which are, for all the individuals concerned—for their families and for all society—a tragic matter, and which are still unconquered. For instance, there is cerebral palsy, whose incidence is on the increase in the United States and in other countries.

The number of people who are being permanently crippled and disabled by disease and accident each year in the United States and in the world is much greater than the number who are being rehabilitated and restored to active life each year.

There are, indeed, an almost unlimited number of other fields of vital research whose exploration would be of immeasurable benefit to our own country and to mankind. Take malnutrition, for example, and the whole problem of the food we eat and the water we drink. Much remains to be learned and applied about this fundamental subject.

Half the people of the world are suffering from malnutrition. Some scientists believe that the discontent, unrest, and threat of war which brood over the world may be traceable in part to malnutrition. This whole field can and should be a subject of study under the terms of the proposed legislation.

Another subject is the matter of congenital defects in children. A quarter of a million infants with significant congenital defects are born every year. We know very little about the predisposing causes of such defects. This field of knowledge has scarcely been scratched. Likewise, in regard to cerebral hemorrhage and other diseases and accidents of the brain, we stand only at the threshold of clear scientific understanding.

I could cite many additional facts and statistics underlining the gravity of the current problems of disease and disability and of the problem of the basic health and vigor of the people of our country and of other countries. But surely there is no need. The Senate, and the Nation, must be fully aware that there is a compelling need to step up the pace of scientific advance against the still unconquered killers and cripplers of men and women and children.

The joint resolution I have introduced presents a program that would contribute, in a major and irreplaceable way, to this advance, through research on an international scale.

Today, much duplicate research is going on in the various countries of the world. Some of this duplication is desirable; some is inevitable. But much of it is unnecessary and wasteful of men, money, and effort, at a time when the coordination of all available men, money, and efforts could bring significant—perhaps even miraculous—progress toward the attainment of those goals for which all mankind prays.

Some of the great philanthropic foundations like the Rockefeller Foundation and the Ford Foundation have made substantial grants for medical research abroad. But this is not enough. There is a critical need for concerted international planning, programing, and prosecution of research. There is need for a much greater flow and exchange of information, and for a greatly expanded program of training of research personnel.

The kernel of a great medical discovery may be unwittingly brought to light in an obscure laboratory in Poland, or Thailand, or Ecuador. Another scientist or group of scientists in Washington or London or Paris may be able to see in this finding the implications which by further research can be converted into a great medical development, to the immeasurable benefit to man. But all too frequently, the obscure finding does not come to light for years. Progress is impeded, and precisely because of the lack of the means of communication and coordination which this joint resolution would provide.

There are countless examples of this kind which have come to light after a prime discovery has been made. If the obscurely discovered finding had been known, medical progress could have been advanced by years.

We are told, for instance, that if all the research experience in the world today, bearing on the subject of cancer and heart disease, could be brought together and sifted and refined, and further research conducted on the basis of that knowledge, a major breakthrough not only would be possible, but even likely, in the near future.

Need I make the point that we in America have no exclusive patent on skill in medical research? Genius in this field, as in other fields, is rare, but it is distributed without regard to geographic boundaries. I commend to those interested in this aspect of the matter a recent committee print entitled "International Medical Research," issued by a Government Operations Subcommittee, of which Senator HUMPHREY is chairman. It is, indeed, to our consummate interest, as well as to the interest of other nations and peoples in the world, for our scientists to work in closest cooperation, coordination, and harmony with the scientists of all other countries—and I mean all—in this critical struggle against the international forces of disease.

All that I have said thus far is part of the scientific justification, mostly from the viewpoint of the American people, for a program of international cooperation in medical and health research.

I come now to the ways and means of achieving this, as specifically set out in the terms of the joint resolution we are submitting to the Senate today.

Let me now summarize, as briefly as I can, the means, methods, and particular purposes set forth in this joint resolution.

First. It would establish a National Institute for International Medical Research as part of the National Institutes of Health.

Second. It would establish a National Advisory Council for International Medical Research. The membership of the Advisory Council would be drawn from leaders in the fields of medical and health research, and public affairs generally—outside the Government—under the chairmanship of the Surgeon General, and with a few additional Government representatives to assure coordination, to survey and help guide policy, to make recommendations, to pass on grants and loans, and to report periodically to the Secretary, the President, and the Congress.

Third. It would authorize the appropriation of $50 million annually to be expended under the supervision of the Secretary of Health, Education, and Welfare, chiefly through the U.S. Public Health Service, and specifically the National Institutes of Health.

The specific activities authorized to be undertaken under the terms of the bill are—

(a) To encourage and support the planning of essential research into disease, disease prevention, and the impairments of man, on a worldwide basis.

(b) To encourage and support the coordination of medical and medically related experiments and programs of research in the United States with complementary programs abroad.

(c) To encourage and support the training of specialized research personnel by a wide range of means, including the establishment of research fellowships within the National Institutes of Health and elsewhere, both in the United States and abroad.

(d) To encourage and support, through direct financial grants and loans of equipment among other means, specific research projects and experiments in hospitals, laboratories, and research institutions abroad, in regard to diseases, disease prevention, and physical disability.

(e) To encourage the improvement of research facilities abroad.

(f) To encourage and support the rapid international interchange of knowledge and information concerning disease and disability, including the holding of international conferences, arrangements for translation and distribution services.

(g) To cooperate with the research activities of the World Health Organization, the Pan-American Sanitary Bureau, the United Nations International Children's Emergency Fund, and other international organizations.

The detailed purposes to be achieved by this joint resolution are spelled out in section 2 of the resolution. Some of them are already referred to in the summary I have just given. For the sake of the record I ask unanimous consent that the full statement of specific purposes, as set forth in section 2 of the resolution, be printed at this point in my remarks.

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

1. To encourage and support on an international basis studies, investigations, experiments, and research, including the conduct and planning thereof, relating to—

(a) The causes, diagnosis, treatment, control, and prevention of physical and mental diseases and other killing and crippling impairments of man.

(b) The rehabilitation of the physically handicaped, including the development and use of appliances for the mitigation of the handicaps of such individuals.

(c) The origin, nature, and solution of health problems not identifiable in terms of disease entities.

(d) Broad fields of science, including the natural and social sciences, important to or underlying disease and health problems.

2. To encourage and support the rapid international interchange of knowledge and information concerning developments in those branches of science pertaining directly or indirectly to the prevention, diagnosis, treatment, or mitigation of disease and disability and other health and rehabilitation problems.

3. To encourage and support, on an international basis, the training of personnel in research and research training through interchange of scientists, research workers, research fellows, technicians, experts, and teachers in research specialties not otherwise or generally provided for in the programs authorized by section 32 of the Surplus Property Act of 1944, as amended, and the U.S. Information and Educational Exchange Act of 1948, as amended.

4. To encourage and cooperate with research programs undertaken by the World Health Organization and other international bodies engaged in, or concerned with, international endeavors in the health sciences, and to support such programs in cases in which such international organizations can effectively carry out activities authorized by this joint resolution.

5. To advance the status of the health sciences in the United States, the health standards of the American people, and those of other countries and peoples, by cooperative endeavors with the scientists, research workers, technicians, experts, teachers, and practitioners of those countries in research and research training.

6. To help mobilize the health sciences in the United States as a force for peace, progress, and good will among the various peoples and nations of the world.

Mr. HILL. Mr. President, as I have already indicated, the principal governmental machinery that would be utilized to carry out these programs and achieve these purposes would be in the National Institutes of Health of the U.S. Public Health Service. But there is specific provision, too, for the use of the Office of Vocational Rehabilitation for encouraging international research and experiments dealing with the rehabilitation of the disabled and physically handicapped. And authority is given the Secretary of Health, Education, and Welfare to use the Children's Bureau, for instance, to carry out other pertinent parts of the program. The Children's Bureau can and should play a significant part in this undertaking. And there are other agencies in the Department of Health, Education, and Welfare which can be readily utilized in the administration of collateral parts of this broad program of research, research training and research cooperation.

I am aware that there are other Federal agencies already concerned with international cooperation in health matters, such as, and above all, the Department of State.

Provision is made in this resolution for coordination and consultation among the departments and agencies in any way concerned with such activities. Specific instruction is provided for the Department of Health, Education, and Welfare to work with the Department of State and to secure policy guidance from that Department with respect to any of the activities authorized in the resolution which affect or involve foreign policy.

I want to emphasize again that this resolution is limited in its scope to encouraging coordinated research, research exchange and research training. It does not authorize operational programs in respect to either private medical practice abroad or public health, although research in public health methodology would, of course, be encompassed.

The amount proposed to launch these urgently needed programs—$50 million—is small, indeed, when we consider the potential returns only in terms of the medical progress that this legislation promises.

I believe the Nation can afford to spend $50 million for an international war against disease. We cannot afford not to make this expenditure.

Mr. President, recently I asked the Legislative Reference Service of the Library of Congress to give me an educated estimate as to the number of lives that have been saved by medical progress in the United States during this century. They provided me some interesting figures.

By applying the life expectancy rate in each successive year since 1900, as compared to the life expectancy rate in 1900, there was produced the figure of 1,600 million life years saved among the people of the United States from 1900 through 1956.

Using the present life expectancy figure of 70 years per person, 1,600 million life years means about 23 million lives saved by the advances of medicine and science since 1900.

The Legislative Reference Service also advised me that if the death rate of 1900 had applied in 1955, the number of deaths in the United States would have been 3,440,000 instead of the actual 1955 figure of 1,528,000. Thus, in 1955 alone, 1,911,000 lives were saved by the advances of medicine and science since 1900.

This is only part of the measure of the debt we owe to medical science, including the science of public health.

Can we balance the value of those 23 million lives saved during the past 50 years against the amount of money spent on medical research during the past 50 years and the further amount proposed to be spent under the pending resolution? Do those millions of lives saved indicate the urgency for spending another $50 million on research—on an international research program which will also advance the cause of peace?

Let us take the mortality rate of infants. If the mortality rate of 1900 had been applied in 1955, 586,000 infants would have died at birth instead of the actual figure of 106,000. Thus, the lives of 400,000 infants were saved in 1 year by the advance of medical science. For every infant who died in 1955, four were saved.

I have heard eminent medical authorities predict that a major breakthrough in the field of cancer, for instance, or in heart disease, would almost surely result in an extension of the life expectancy in America to 75 years. Is this prospect worth the expenditure of an additional $50 million?

As I said earlier in this discussion, the resolution, as it is being introduced today, is almost identical with Senate Joint Resolution 199 which I introduced last year, and which has already been studied by many experts in medical research in America and abroad. I would like to read a few brief excerpts of the comments on this resolution I have received from some of these doctors, scientists and heads of scientific organizations:

From Sir Stewart Duke-Elder, Director of Research of the Institute of Ophthalmology, University of London:

The idea is an excellent one, and there is no doubt that propositions such as you suggest go further than anything else to relieve human suffering and, moreover, to strengthen the influence of Western countries throughout the world.

From Dr. Samuel A. Kirk, Director of the Institute for Exceptional Children, University of Illinois:

Your recent resolution * * * is indeed a most forward-looking proposal, not only for the citizens of the United States but for the people of the world.

From Dr. Michael E. DeBakey, Baylor University College of Medicine:

I am writing to express my enthusiastic approval and strong support of your proposal. * * * Aside from the truly humanitarian objective of your proposal, I know of nothing that could influence more favorably our foreign relationships.

From Dr. Stuart Mudd of Philadelphia, President of the International Association of Microbiological Societies:

This positive approach to international cooperation focused on research in the health sciences must surely capture the imagination and command the admiration of people everywhere. This kind of leadership by the United States is certainly in the interests of peace among the nations.

From Dr. J. M. Ulmer, Cleveland, Ohio, secretary of the National Foundation of Eye Research:

I heartily support the purpose of the resolution. Not only in the very important field which has my special interest, but all fields of public health should be approached on an international basis if we are really to make progress.

And from Dr. Martha Potgieter, of the University of Connecticut:

This is indeed a real history-making step in the field of human health and research into that important and baffling problem.

I have many more letters, scores of them. I will not further take the time of the Senate to read from them. The views of the experts will be methodically solicited and assembled in the course of the hearings on this legislation.

The interesting thing is how the doctors and scientists, themselves, emphasize not only the importance of this legislation to the cause of scientific advance against disease and disability, but its importance to the cause of peace. This collateral contribution might well turn out to be its chief one, in terms of the urgency of the problems which confront us in the world today.

Our distinguished colleague, Senator HUBERT HUMPHREY, grasped this possibility some time ago, and has been pursuing it, as we all know, in speeches in this body, in addresses before public forums in every part of the country, and, this summer, in an intensive study and conference trip abroad, in his official capacity as chairman of a subcommittee of the Government Operations Committee.

Late in the last session the Senate authorized the subcommittee to make a study of international cooperation in medical research. In furtherance of the instructions of the Senate, the distinguished Senator from Minnesota traveled to many countries in Europe and spoke with leaders of scientific thought and of government in those countries.

We all know that one of the leaders of government with whom Senator HUMPHREY discussed this subject was Mr. Khrushchev, the Prime Minister of Russia. The Senator from Minnesota is quite capable of speaking for himself on this matter and undoubtedly will. But it is pertinent to my discussion today to recall that he found one of the potential areas of agreement between this country and the Soviet Union to be the project for international cooperation in the world struggle against disease.

This is surely one of the paths to peace in this war-threatened world. I should like to borrow from Senator HUMPHREY'S happy talent for phrasing just once. He said recently that one of the greatest products of a program of international cooperation in medical research might be a new vaccine—a peace vaccine. I echo his hope.

Freedom from disease is the most fundamental aspiration of every man and woman in the world. This is a specific freedom toward the achievement of which all peoples and all nations can work together without fearing that an advance by one will be to the disadvantage of the other.

To the extent that the joint resolution we are introducing today is a major step forward in the directions I have indicated, I believe that it is one of the most important pieces of legislation that will be considered at this session of Congress.

I doubt whether this resolution in its present form is a perfect piece of legislation. Indeed, I do not remember ever having seen a perfect piece of legislation. I am sure that it can be improved upon by constructive suggestions and modifications in committee. I expect that there will be full and adequate hearings on this measure and that a sound record will be presented to the Senate on the basis of which to vote when the resolution is reported, as I hope it will be in the very near future.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The joint resolution (S.J. Res. 41) to establish in the Department of Health, Education, and Welfare the National Advisory Council for International Medical Research, and to establish in the Public Health Service the National Institute for International Medical Research, in order to help mobilize the efforts of medical scientists, research workers, technologists, teachers, and members of the health professions generally, in the United States and abroad, for assault upon disease, disability, and the impairments of man and for the improvement of the health of man through international cooperation in research, research training, and research planning; to the Committee on Labor and Public Welfare, introduced by Mr. HILL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Whereas it is recognized that disease and disability are the common enemies of all nations and peoples, and that the means, methods, and techniques for combating and abating the ravages of disease and disability and for improving the health and health standards of man should be sought and shared, without regard to national boundaries and divisions; and

Whereas advances in combating and abating disease and in the positive promotion of human health can be stimulated by supporting and encouraging cooperation among scientists, research workers, and teachers on an international basis, with consequent benefit to the health of our people and of all peoples; and

Whereas there already exist tested means for international cooperation in matters relating to health, including the World Health Organization, the Pan American Sanitary Bureau, and the United Nations International Children's Fund (UNICEF), with which the United States is identified and associated, and it is highly desirable that the United States establish domestic machinery for the maximum mobilization of its health research resources, the more efficiently to cooperate with and support the research, research-training, and research-planning endeavors of such international organizations: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution does establish the domestic machinery for such maximum mobilization of its health research resources, the more efficiently to cooperate with and support the research, research-training, and research-planning endeavors of the international organizations.

SEC. 2. The purpose of this joint resolution is:

(1) To encourage and support on an international basis studies, investigations, experiments, and research, including the conduct and planning thereof, relating to:

(A) The causes, diagnosis, treatment, control, and prevention of physical and mental diseases and other killing and crippling impairments of man.

(B) The rehabilitation of the physically handicapped, including the development and use of appliances for the mitigation of the handicaps of such individuals.

(C) The origin, nature, and solution of health problems not identifiable in terms of disease entities.

(D) Broad fields of science, including the natural and social sciences, important to or underlying disease and health problems.

(2) To encourage and support the rapid international interchange of knowledge and information concerning developments in those branches of science pertaining directly or indirectly to the prevention, diagnosis, treatment, or mitigation of disease and disability and other health and rehabilitation problems.

(3) To encourage and support, on an international basis, the training of personnel in research and research training through interchange of scientists, research workers, research fellows, technicians, experts, and teachers in research specialties not otherwise or generally provided for in the programs authorized by section 32 of the Surplus Property Act of 1944, as amended, and the United States Information and Educational Exchange Act of 1948, as amended.

(4) To encourage and cooperate with research programs undertaken by the World Health Organization and other international bodies engaged in, or concerned with, international endeavors in the health sciences, and to support such programs in cases in which such international organizations can effectively carry out activities authorized by this joint resolution.

(5) To advance the status of the health sciences in the United States, the health standards of the American people, and those of other countries and peoples, by cooperative endeavors with the scientists, research workers, technicians, experts, teachers, and practitioners of those countries in research and research training.

(6) To help mobilize the health sciences in the United States as a force for peace, progress, and good will among the various peoples and nations of the world.

SEC. 3. (a) The Secretary of Health, Education, and Welfare (hereinafter referred to in this joint resolution as the "Secretary") is authorized and directed to carry out the purposes of this joint resolution in conformity with its provisions.

(b) The Secretary may utilize, for the performance of his duties authorized by this joint resolution, the Public Health Service, including the National Institute for

International Medical Research established by this joint resolution and the other National Institutes of Health, and, where appropriate, the Office of Vocational Rehabilitation, the Children's Bureau, and such other agencies and offices in the Department as he may deem desirable to carry out the functions authorized herein.

(c) The duties and functions hereby authorized shall be carried out in consultation and cooperation with the National Advisory Council for International Health Research established by this joint resolution.

SEC. 4. There is hereby established, in the Public Health Service, as a part of the National Institutes of Health, the National Institute for International Medical Research. This Institute, in cooperation with the other National Institutes, shall carry out such major duties and functions of operation and administration in connection with this joint resolution, as may be assigned by the Surgeon General, including the support of research and research training through grants, contracts, and cooperative activities and the direct conduct of research in facilities outside the United States.

SEC. 5. (a) There is hereby established, in the Department of Health, Education, and Welfare, the National Advisory Council for International Medical Research (hereinafter referred to in this joint resolution as the "Council"), to advise, consult with, and make recommendations to the Secretary or the Surgeon General or the Director of the Office of Vocational Rehabilitation, or such other officers of the Department as may be appropriate, on matters relating to the purposes and programs authorized by this joint resolution. The internal procedures of the Council shall be governed by rules and regulations adopted by the Council and approved by the Secretary.

(b) The Council shall receive reports on and review all research and research-training projects or programs undertaken, or proposed to be undertaken, pursuant to this joint resolution, and no grant, contract, or loan for any such research project or program shall be approved by the Surgeon General, the Director of the Office of Vocational Rehabilitation, or the Secretary except after review and recommendation by the Council.

(c) The Council shall consist of the Surgeon General of the Public Health Service, who shall be Chairman, a duly designated representative of the Secretary of State, and sixteen members appointed by the Secretary without regard to civil service laws. The Director of Vocational Rehabilitation shall be a member ex officio. The Secretary may appoint additional ex officio members on either a permanent or temporary basis, as desirable, but the number of such additional ex officio members shall not be greater than two at any one time. The sixteen appointed members shall be leaders in the fields of medical research, teaching and training, medical or biological science, rehabilitation, education, or public and international affairs. Eight of the sixteen shall be selected from among leading experts and authorities in the fields with which this joint resolution is concerned, with special emphasis on association with research and research training.

(d) Each appointed member of the Council shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed either for the balance of that term, or for a full four-year term at the discretion of the Chairman, and (2) the terms of the members first taking office after September 30, 1958, shall expire as follows: four shall expire four years after such date; four shall expire three years after such date; four shall expire two years after such date; and four shall expire one year after such date, as designated by the Secretary at the time of appointment. None of the sixteen appointed members shall be eligible for reappointment until a year elapses since the end of his preceding term.

(e) Members of the Council, other than ex officio members and members who are officers or full-time employees of the Government, while attending conferences or meetings of their respective council or committees thereof, or while otherwise engaged in the work of the Council or of the committees thereof, upon the specific authorization of the Chairman of the Council or the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence. This authorization for compensation and expenses shall also extend to consultants and members of special field or other committees engaged or established pursuant to section 6 of this joint resolution.

(f) The Council shall meet at the call of the Chairman or on the request of a third of its membership, but in no event less than three times during the year.

(g) Provision shall be made by the Secretary for representatives of other Federal departments or agencies engaged in medical-biological research or in international health-assistance efforts to be invited to meet with the Council, when appropriate, to discuss programs and problems of common concern.

(h) Provision shall be made by the Secretary, through the Surgeon General, for coordination of the work of and consultation, between the Council and the National Advisory Health Council, and the national advisory councils of the National Institutes of Health, and through the Director of Vocational Rehabilitation, the National Advisory Council on Vocational Rehabilitation, with respect to matters bearing on the purposes and administration of this joint resolution.

SEC. 6. The Secretary is authorized to secure, from time to time, and for such periods as he deems advisable, the assistance and advice of consultants who are technicians, experts, scholars, or otherwise especially qualified in fields related to research, research training or research planning, from the United States or abroad. These experts, individually or in groups, shall advise the Secretary or the Surgeon General or the Director of Vocational Rehabilitation, or the Council, on such matters as are appropriate.

SEC. 7. The Secretary is hereby authorized to engage in the following activities:

(1) Encourage and support research, investigations and experiments by individuals, universities, hospitals, laboratories, or other public or private agencies or institutions, in countries other than the United States, relating to the cause, prevention, and methods of diagnosis and treatment of physical and mental diseases and impairments of man, referred to in paragraph (1) of section 2, by means of: the direct conduct of research in countries other than the United States, financial grants, contracts, grants or loans of equipment, and grants or loans of medical, biological, physical, or chemical substances or standards where required for research or research training, and furnishing expert personnel from the United States (including the payment of travel and subsistence for such experts when away from their places of residence).

(2) Encourage and support research, investigations and experiments conducted in countries other than the United States, related to the rehabilitation of the physically handicapped, by the means referred to in paragraph 2 hereof.

(3) Encourage and support the coordination of experiments and programs of research conducted in the United States with related programs conducted abroad, by facilitating the interchange of research scientists and experts between the United States and foreign countries who are engaged in such experiments and programs of research, including the payment of per diem compensation, subsistence and travel for such scientists and experts when away from their places of residence, as provided for consultants in section 5(e) hereof.

(4) Make grants for the improvement or alteration of facilities needed for medical research and research training, including the provision of equipment for research and training purposes.

(5) Establish and maintain research fellowships within the National Institutes of Health and elsewhere with such allowances (including travel and subsistence expenses) as may be deemed necessary to train United States research workers, research teachers, technicians, and experts in the laboratories of other countries, and to procure the assistance of talented research fellows from abroad, and, in addition, to provide for such fellowships and other research training through grants, upon recommendation of the Council, to public and other nonprofit institutions. This program of fellowships and grants shall not duplicate or replace the programs authorized under section 32 of the Surplus Property Act of 1944, as amended, and the United States Information and Educational Exchange Act of 1948, as amended.

(6) Encourage and support broad surveys of the incidence of the major diseases endemic in various parts of the world and initiate comprehensive plans for their eradication or mitigation through cooperative programs of research and research training in regard to these diseases, including research in pertinent phases of the science of public health.

(7) Support and encourage international communication in the medical and biological sciences, international scientific meetings, conferences, translation services and publications, including provision for travel funds to permit participation in such conferences.

SEC. 8. The Secretary shall keep the Secretary of State fully informed concerning the projects and programs undertaken pursuant to this joint resolution, and shall solicit and secure from him policy guidance with regard to such projects, programs, or other activities proposed to be undertaken under this joint resolution.

SEC. 9. Programs authorized by this joint resolution shall not unnecessarily duplicate those undertaken by other departments and agencies of the Government pursuant to law, nor of international organizations of which the United States is a member, and the Secretary shall take proper precaution to this end. For this and related purposes, he shall make necessary arrangements for consultation and coordination with other departments and agencies of the Government engaged in medical-biological research or in international health-assistance efforts. Nothing contained in this joint resolution shall be applied or construed to diminish the authority or responsibility of other departments and agencies in the field of international cooperation in medical or other scientific endeavors.

SEC. 10. The activities authorized herein shall not extend to the support of public health nor other programs of an operational nature as contrasted with research, nor shall any of the grants herein authorized include grants for the improvement or extension of public health administration in other countries except for necessary research in the science of public health and public health administration.

SEC. 11. The Secretary shall prepare an annual report, which shall include a report from the Council, and submit it to the President, for transmittal to the Congress, summarizing the activities under this joint resolution, and making such recommendations as he, and the Council, may deem appropriate.

SEC. 12. The Secretary, or the Surgeon General, or the Director of Vocational Reha-

bilitation, is authorized to use the services of any member or members of the Council, and where appropriate, any member or members of the other several national advisory councils, or study sections, or committees advisory thereto of the Public Health Service, or of the Office of Vocational Rehabilitation, in connection with matters related to the administration of this joint resolution, for such periods as may be determined necessary.

SEC. 13. Any alien whom the Secretary deems it desirable to come to the United States under the terms of paragraphs (4) and (7) of section 7 of this joint resolution, who is otherwise excluded from admission into the United States by the provisions of section 212 of the Immigration and Nationality Act, may, upon certification by the Secretary, upon recommendation of the Surgeon General or the Director of Vocational Rehabilitation, as may be appropriate, be paroled into the United States by the Attorney General pursuant to the authority contained in section 212(d)(5) of such act.

SEC. 14. There is hereby authorized to be appropriated the sum of $50 million annually, to carry out the provisions of this joint resolution. Such amount is to be apportioned as the Congress may direct to the office of the Secretary, the Public Health Service (including the National Institute for International Health and Medical Research), the Office of Vocational Rehabilitation, and other agencies in the Department of Health, Education, and Welfare as appropriate.

SEC. 15. This joint resolution shall be entitled "The International Health and Medical Research Act of 1959." Its short title shall be "The Health for Peace Act."

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

Mr. HILL. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Would the Senator permit me to be honored by adding my name to the joint resolution as a cosponsor?

Mr. HILL. The Senator from Alabama will not only permit, but will rejoice in having the name of the distinguished Senator from Massachusetts on the joint resolution.

Mr. SALTONSTALL. I thank the Senator.

COORDINATION OF DEVELOPMENT OF THE DISTRICT OF COLUMBIA WITH OTHER AREAS IN WASHINGTON METROPOLITAN REGION

Mr. BIBLE. Mr. President, on behalf of the Senator from Oregon [Mr. MORSE], the Senator from Maryland [Mr. BEALL], and myself, I introduce, for appropriate reference, a joint resolution by which Congress would declare its interest in the coordinated development of all parts of the National Capital region. The joint resolution sets forth a declaration of policy under which all parts of the Federal Government and the District of Columbia Government are called upon to work toward the achievement of such a coordinated regional development, with first priority being given to the areawide solution of the water supply, sewage disposal, and transportation problems.

This joint resolution is the first legislative proposal to be submitted as a result of the work of the Joint Committee on Washington Metropolitan Problems, appointed pursuant to House Concurrent Resolution 172 of the 85th Congress. The joint committee's extensive inquiries into the problems of this rapidly growing metropolitan area have produced ample evidence that the Federal Government has a very real interest in the proper development of the whole metropolitan region that centers on the District of Columbia. The region has expanded far beyond the boundaries of the Federal District which the Founding Fathers established as the seat of government of the United States.

The magnitude of this regional growth is illustrated by the fact that:

Three-fifths of the region's inhabitants now live outside the District of Columbia.

Approximately two Federal employees of every three live in suburban counties.

The movement of Federal agencies into the suburbs has proceeded almost as rapidly as the growth of suburban population; more than one-third of all Federal personnel in the region are employed at installations in Maryland and Virginia.

Half of the Federal payroll, which here totals some one billion six hundred million dollars, is paid in the Maryland and Virginia parts of the area.

Although Federal employment in the area has declined each year since 1951, total employment has grown and now exceeds the Federal employment. This movement toward economic diversification is of profound metropolitan significance.

These trends are all increasing as this booming urban concentration spreads farther into the suburban areas. We are the second fastest growing large metropolitan area in the United States, exceeded only by Houston, Tex.

The committee has also been mindful that, despite many special characteristics deriving from Washington's role as a National Capital, ours is but one of the Nation's 183 metropolitan areas, most of which exhibit similar problems of growth and expansion. The distinguished majority leader has recently commented upon the national aspects of these problems. Other Senators have expressed the view that they call for action. I will only cite the relevance of our studies during the past year to these broader concerns and future efforts.

The Federal Government is largely responsible for the growth of the National Capital region, and at the same time the conduct of its business at the seat of government is affected in many important ways by the changes that this explosive growth has brought about in the character of the region. The Federal Government therefore has both an obligation to the people of the region, and a very real interest of its own, in seeing to it that there is sound, properly planned, and well coordinated regional growth.

The Federal Government's obligation arises from the fact that the rapid growth that stems from the relocation of Federal installations at suburban locations generates demands for public services that local governments find it extremely difficult to meet, especially since a Federal installation does not add to local tax revenues as a new private employer does. The Federal Government's interest in well-planned metropolitan growth is largely to be found in the fact that many of the costs of uncoordinated and poorly planned metropolitan growth will finally be paid by the Federal Government, in the form of the difficulties that it, the largest employer in the region, will encounter in doing business here, and in the form of the added costs that it will incur in creating a National Capital suitable to a great country.

The proposed joint resolution aims to focus the attention of the agencies of the Federal and District of Columbia Governments on the need for achieving a sound pattern of metropolitan growth. The joint committee recognizes that a number of public agencies, Federal, State, and local, have been doing their best to cope with the problems that have been brought on by the explosive growth of the region, and certainly much good work has been done by them. But the joint committee concluded that new organizational arrangements are needed in the Federal Government to enable it to play its role on the metropolitan scene, and some new institutions of regional government are needed to carry out functions that transcend the boundaries of the preexisting governmental jurisdiction.

The passage of this joint resolution is a desirable preliminary to the carrying out of the needed organizational changes. I believe I speak for my colleagues on the joint committee when I express the hope that favorable action on the joint resolution will be only the first in a series of steps by Congress, by the States of Maryland and Virginia, and by the local governments of the National Capital region, to implement the recommendations contained in the joint committee's final report of January 31.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 42) to establish an objective for coordinating the development of the District of Columbia with the development of other areas in the Washington Metropolitan Region and the policy to be followed in the attainment thereof, and for other purposes, introduced by Mr. BIBLE (for himself, Mr. MORSE, and Mr. BEALL), was received, read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENT OF REORGANIZATION PLAN NO. 2 OF 1953—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the senior Senator from Illinois [Mr. DOUGLAS] be added as a cosponsor of my bill, S. 144, to amend Reorganization Plan No. 2 of 1953, when this bill is next printed.

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

AMENDMENT OF FEDERAL COAL MINE SAFETY ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 28, 1959, the names

of Senators SCOTT, LANGER, and GRUENING were added as additional cosponsors of the bill (S. 743) to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals, introduced by Mr. CLARK (for himself, Mr. MURRAY, Mr. CARROLL, Mr. Moss, Mr. MCGEE, Mr. RANDOLPH, Mr. DOUGLAS, and Mr. HARTKE) on January 28, 1959.

LABOR-MANAGEMENT PRACTICES ACT OF 1959—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 28, 1959, the name of Mr. HRUSKA was added as an additional cosponsor of the bill (S. 748) providing further safeguards against improper practices in labor organizations and in labor-management relations; requiring disclosure of certain financial transactions and administrative practices of labor organizations and their officers and agents and reports of direct and indirect dealings between them and employers which may conflict with obligations as employee representatives; reinforcing rights of members of labor organizations with respect to funds and property, the election and removal of officers, and the exercise by other labor organizations of supervisory control of such organizations; providing penalties for certain criminal acts; and for other purposes, introduced by Mr. GOLDWATER (for himself and Senators DIRKSEN, ALLOTT, BENNETT, BRIDGES, BUSH, BUTLER, CASE of South Dakota, COTTON, CURTIS, HICKENLOOPER, WILLIAMS of Delaware, CAPEHART, and MUNDT) on January 28, 1959.

RICHARD E. BYRD ANTARCTIC COMMISSION—ADDITIONAL COSPONSOR OF BILL

Mr. WILEY. Mr. President, I am pleased to request unanimous consent that the name of the distinguished Senator from our newest State, Alaska [Mr. GRUENING], be added as a cosponsor of S. 764, to establish the Richard E. Byrd Antarctic Commission.

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

TELEVISION BOOSTER STATIONS—ADDITIONAL COSPONSOR OF BILL

Mr. ALLOTT. Mr. President, the so-called TV booster bill, Senate Joint Resolution 26, was printed prior to the time I received a call from the Senator from North Dakota [Mr. LANGER] that he wished to join as a cosponsor. I therefore ask unanimous consent that the name of the Senator from North Dakota [Mr. LANGER] be added as an additional cosponsor of Senate Joint Resolution 26, which I introduced on January 23, and that this be so shown on all future printings.

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

Mr. LANGER. Mr. President, I should like permission to have printed in the RECORD at this point a copy of my letter to the Federal Communications Commission requesting them to rescind their action to abolish the use of VHF television booster stations and replace them with UHF stations.

The situation in North Dakota is becoming increasingly serious to the owners of television sets. There are very few television stations in the entire State, and they are widely separated. Therefore, a large portion of the population cannot receive television programs at all without the use of booster stations. To convert from the VHF to the UHF boosters would be a great expense to these people. This I consider unjustified in view of the fact that no interference with regular channels has been reported in my State.

I trust that the Federal Communications Commission will see fit to reexamine its position and make the necessary changes. If not, as stated in my letter, I shall request the Senate Interstate and Foreign Commerce Committee to make a thorough and complete investigation of the situation and, if necessary, urge the adoption of appropriate legislation in this field.

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

JANUARY 19, 1959.

Hon. JOHN C. DOERFER,
Chairman, Federal Communications Commission, Washington, D.C.

MY DEAR MR. CHAIRMAN: Enclosed herewith are several letters I have received from constituents concerning the Federal Communications Commission's action which would abolish the VHF–TV booster stations.

Because North Dakota is sparsely populater, there are many areas not reached directly by television stations. These areas depend upon the VHF booster stations to enable them to receive television programs. They now are told that they must convert to UHF, which would be a great expense to them. In the town of Bowman alone, the cost would be about $5,000, in addition to the approximately $2,000 already invested. I understand that these stations do not cause the kind of interference which would require the stringent action taken by FCC.

It is my understanding that the staff report of the Interstate and Foreign Commerce Committee of the Senate has recommended that appropriate regulations be issued to allow these VHF stations to remain on the air, provided they do not cause interference. I also understand that Commissioner T. A. M. Craven, after a personal inspection of the areas, made the same recommendation.

I am hopeful that the Federal Communications Commission will reexamine its position and take into consideration the heavy burden that they are placing on a small portion of our population. If not, I shall request the Senate Interstate and Foreign Commerce Committee to make a thorough and complete investigation of the matter and, if necessary, urge the adoption of appropriate legislation in this field.

May I hear from you?

With kind regards, I am,

Sincerely,

———— ————.

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

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

By Mr. TALMADGE:

Address delivered by him before Association of Cotton Textile Merchants of New York on January 29, 1959.

By Mr. MURRAY:

Article entitled "The West Puts Its Brand on Congress" written by RICHARD L. NEUBERGER and published in the New York Times magazine of February 1, 1959.

By Mr. JACKSON:

Review by Senator J. W. FULBRIGHT of Walter Lippmann's book, "The Communist World and Ours," published in the Washington Post of February 1, 1959.

NOTICE OF HEARING IN NEW YORK CITY BY THE SUBCOMMITTEE ON JUVENILE DELINQUENCY OF THE COMMITTEE ON THE JUDICIARY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary may hold hearings in New York City on February 5 and 6, 1959, during the sessions of the Senate.

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

WORLD PROGRESS THROUGH EDUCATIONAL EXCHANGE

Mr. WILEY. Mr. President, 139 organizations met in Washington last week in common convention as members of the International Education Association.

Their topic was the international exchange of students, scholars, and technicians—how such programs could be improved and coordinated without limiting the individual freedom of the exchangee.

This type of people-to-people contact is wonderfully helpful in exchanging ideas between different countries, increasing mutual respect, and laying a firmer foundation for peaceful understanding.

Mr. President, in order that my colleagues may become better acquainted with this program toward world progress through educational exchange, I ask unanimous consent that there be printed in the RECORD at this point in my remarks the message of President Eisenhower, which he personally delivered to the conference.

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

ADDRESS BY THE PRESIDENT TO THE THIRD NATIONAL CONFERENCE ON EXCHANGE OF PERSONS, AT THE MAYFLOWER HOTEL, FRIDAY, JANUARY 30, 1959

It is a privilege to greet the members of this audience, all dedicated to the promotion of knowledge of all peoples by all other peoples.

The theme for this conference—"World Peace Through International Exchange of Persons"—suggests one of the most promising gateways for reaching our most sought-after goal—a just and lasting peace.

We realize that peace demands understanding. I know of no better single method of reaching mutual understanding than by multiplying our international contacts through people-to-people diplomacy. Four-

teen years have now passed since delegates from the world over met in San Francisco to draft the United Nation's Charter. One experience that accompanied this meeting seems to have some relevance for all of us.

To escape the tedious strain of weeks of conferences, a party of a geographer, a statesman, and a lawyer driven by an Army sergeant took a trip to the Redwoods. Walking among the giant trees, the geographer remarked that while it would be a slight exaggeration to say that over every square mile of the earth's surface, dust particles from the entire earth's surface circulated, the statement was, to all intents, true.

To this, the statesman replied, "If only we might have the same interchange of peoples and ideas, our troubling problems of the San Francisco Conference would be resolved over night."

From the lawyer came the jesting comment, "This is the greatest violation of private property rights that I have ever heard."

But the final observation came from the Army sergeant, "What this means to me," he said quietly, "is that we're all really living in each other's backyard."

Each passing year since the drafting of the United Nation's Charter has brought new reminders of closer relationships between the people of all nations. As the world has moved through tensions and intermittent crises, the importance of our interdependence has been strikingly driven home by far-reaching developments in atomic fission, electronic communication and swifter than sound flight. Today when the possibility of war carries with it a threat to the survival of civilization, the urgency of dealing effectively with all threats to peace is self-evident.

Mutual understanding is more than important—it is vital.

The exchange of persons is one approach by which we may work for understanding along many fronts. I do not think of a crash program—the need is for a continuous program based upon the common-sense belief that understanding is an exportable item to all nations, including our own.

We recognize, of course, that as we welcome students, educators, lawyers, scientists, artists, Government officials, and others from distant lands, it is equally important that Americans also enjoy the enriching experience of work and study in other nations. Such programs I am happy to note are receiving constant encouragement and support from the 130 public and private organizations that are represented here today.

The education and training of our people for effective service in our Government's overseas activities is so important that the Secretary of State has recently appointed a special assistant for the Coordination of International Educational and Cultural Relations. The exchange of persons is an essential feature of this training effort.

Peace is a goal that must never slip from focus. We have the resources and faith in ourselves to do our part for its attainment. But we must use these resources wisely. We must use some of our strength to bolster the free nations that, with us, stand as the defenders of freedom and which, with us, work for the achievement of a just peace.

For a moment may I digress to mention a related matter that deeply concerns all of us. I refer to the funds that are appropriated by the Congress every year to enable our friends around the world better to defend themselves and to maintain their independence through viable economies. Of all the money which this country lays out in 1 year, none of it contributes more to the security of our Nation and to freedom than that allocated to our mutual security programs.

Those, in public and private life, who would have us cut America's mutual aid and loan programs simply do not understand what these programs mean to peace and to America's safety.

Any cutback of present budgetary levels for our mutual security program would require additional outlays for our own security forces, far greater than any amount that could be so saved. Moreover, such reductions would in the long run dilute the faith of our allies in America's determination and ability to exercise leadership for freedom. I shall do all in my power to insure that our friends around the world will not have their faith in these American purposes undermined.

Building friendships among nations through the exchange of individuals is not an idea of startling novelty. Nor is it work that can be undertaken only through a single program of grand design. The very term "people-to-people diplomacy" implies a healthy variety of programs—lots of them. To each of you here today, along with the organizations that you represent, and to the Institute of International Education which will have a 40th anniversary celebration tonight, I extend warmest congratulations on your exchange work.

I hope your joint efforts will ever grow and multiply. We need more individual diplomats from Main Street, from our farms, schools, laboratories—from every walk of life. People-to-people diplomacy means thousands of part-time ambassadors—all working for better relationships among all peoples. And the finest definition of an Ambassador, you will recall, is this: "He is, above all, a man of peace."

NAMING OF BOARD OF TRUSTEES FOR THE NATIONAL CULTURAL CENTER

Mr. WILEY. Mr. President, I was extremely happy to receive word from the White House last Thursday of the final naming of the public members of the board of trustees for the new National Cultural Center to be erected here in our Nation's Capital. This significant event happily brings us one step closer to the actual achievement of this most noteworthy goal.

EFFORTS TOWARD ENACTMENT OF LEGISLATION

My colleagues in both Houses of the Congress are well aware of the long and, yes, sometimes discouraging, battle that has been fought by the many exponents of the legislation which eventually resulted in S. 3335 of the 85th Congress, and finally in Public Law 874. They cannot help but be aware of the courageous and determined efforts of a dedicated group of public-spirited citizens who maintained the courage of their convictions that here was a project which would enrich countless numbers of lives through expansion of cultural horizons; that here was an absolute necessity in order for our Capital City to fulfill its role of importance, not only as a tourist center from which local and foreign visitors derive their knowledge and lasting impressions of the United States, but as an international cultural beacon which will be commensurate with our leadership in world affairs.

My colleagues will also long remember the bipartisan spirit in the long history of this legislation—a splendid example showing how both parties can work together in harmony for the cultural advancement and mutual benefit of our great country. I wish to mention the commendable efforts of my distinguished associates in the Senate, Mr. FULBRIGHT and Mr. ANDERSON, who worked with me as cosponsors on the bill; and I wish to pay particular tribute to the Member of the other House who exerted his legislative skill so long and so faithfully in order that this achievement might be realized. I refer to the gentleman from New Jersey, Representative FRANK THOMPSON, who, with his able and devoted legislative assistant, Mr. George Frain, worked literally night and day for years to see the culmination of this great project.

My distinguished associates will also recall that enactment of S. 3335 was specifically requested by the President of the United States and was endorsed by the Department of Interior, the Bureau of the Budget, the Board of Commissioners of the District of Columbia, and the Commission on Fine Arts. They will recall that it is a historical fact that when George Washington directed Maj. Pierre L'Enfant to plan a Federal City, he directed that it be planned as a cultural and civic center for the new United States, and in his inaugural message to Congress he called attention to the need for recognition of music and the arts.

APPOINTMENT OF BOARD OF TRUSTEES

Now, 170 years later, we are taking decisive steps to correct this long deficiency. The 15 Federal officials named in Public Law 874 and the 15 general trustees appointed by the President will be charged with the responsibility of supervising and overseeing the construction of the Center with funds contributed through popular donation, and to then maintain and administer it by presenting programs of the performing arts. It is essential that these members be of the very highest caliber of civic leadership—active, dedicated, and able—and that they function in close cooperation with the Advisory Committee on the Arts, which Committee will serve as a program committee to establish objectives and policies, and will make recommendations to the board regarding cultural activities to be carried on in the Center. I believe that the President has named just such a group of outstanding individuals. I believe that with names that have been included, such as Mr. Ralph Becker, the able chairman of the very active Cultural Development Committee of the Washington Board of Trade; the Honorable L. Corrin Strong; Mrs. Ethel Garrett; Mrs. Catherine Shouse; Mr. Floyd Akers; Mr. Daniel Bell; and the names of distinguished citizens throughout the country, we can soon realize a national cultural establishment which will develop a greater knowledge, understanding, and appreciation of the fine arts; and that, through their effective presentation, their standards of execution will be raised to an ever-higher level of achievement.

NEED FOR PUBLIC SUPPORT

However, I want to reemphasize that this will be a national cultural center, not a District of Columbia center, and we want all the people of the United States to know and understand that this will be their center. We shall need their

help and support. We shall need their financial contributions. The law specifically states that if the Board of Regents of the Smithsonian Institution does not find that sufficient funds to construct the Center have been received by the Board of Trustees within 5 years after enactment of the act, it shall cease to be effective, and all offices created by the act and all appointments made under it shall terminate. Therefore, it is vitally urgent that every effort be exerted to effect the necessary collection of funds; there must be a revitalization of contact with the 104 national organizations which had been contacted by the former Auditorium Commission, and the opportunity must be readily available so that contributions can be made by private philanthropists, by foundations, and by the American public.

With another step taken, then, let us move full speed ahead toward actual construction of the National Cultural Center. Let us demonstrate to the other nations of the world the cultural interests and achievements of the people of the United States through this means for development and strengthening of the ties which unite the United States with other nations. I repeat, let us construct our "defenses of peace in the minds of men" by providing a suitable building for the presentation of music, opera, drama, dance, and poetry which is deserving of recognition as a part of the great heritage of our civilization.

I ask unanimous consent that the press release from the White House, showing the appointments of the members of the Board of Trustees by the President, be printed at this point in the RECORD.

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

THE WHITE HOUSE,
January 29, 1959.

The President today made the following appointments:

The following-named persons to be members of the Board of Trustees of the National Cultural Center:

For a term of 2 years from September 2, 1958: Ralph E. Becker, of the District of Columbia; Mrs. Catherine Filene Shouse, of the District of Columbia; Henry Clay Hofheimer II, of Virginia.

For a term of 4 years from September 2, 1958: Philip Melville Talbott, of Virginia; Floyd DeSoto Akers, of the District of Columbia; John Josiah Emery, of Ohio.

For a term of 6 years from September 2, 1958: Winthrop W. Aldrich, of New York; Mrs. Ethel Garrett, of the District of Columbia; Daniel W. Bell, of the District of Columbia.

For a term of 8 years from September 2, 1958: Ralph J. Bunche, of New York; Mrs. Dorothy Buffum Chandler, of California; Robert L. Wood, of Texas.

For a term of 10 years from September 2, 1958: L. Corrin Strong, of the District of Columbia; John Nicholas Brown, of Rhode Island; Frank H. Ricketson, of Colorado.

COMMENDATION OF WILBUR A. DEXHEIMER, DIRECTOR, BUREAU OF RECLAMATION

Mr. ALLOTT. Mr. President, the subject of reclamation is one of paramount importance to Coloradoans, as it is to most people of the West. The development of an orderly, fruitful reclamation program is something to which this administration can point with pride. Although there remains an ever-critical need for further development of water resources, among others, the Department of the Interior, through its Bureau of Reclamation, is seeking to accomplish its knotty task within the reasonable limits of the budget and area requirements.

The man responsible for this program is the Director of that Bureau, Wilbur A. Dexheimer. "Dex," as all of us know him, has been a career employee of the Bureau of Reclamation since 1928, with the exception of service with the Corps of Engineers in World War II and a foreign assignment for a few years thereafter. A native of Denver in my own State of Colorado, Mr. Dexheimer is a graduate of our Colorado schools. A highly respected expert in his field, the Commissioner is the author of "Construction of the World's Highest Multiple Arch Dam" and "Hydroelectric Development in Australia."

Commissioner Dexheimer has proven himself to be a most efficient administrator. When he became Commissioner in 1953, the Bureau of Reclamation had 13,504 employees. The high number was 17,194, 2 years before that, and today the Bureau is down to 9,800 employees. Yet the Bureau's program for this year covers $265 million—only $10 million less than in the year of peak employment—and this work is being done with 40 percent fewer employees.

Recently, Commissioner Dexheimer made a provocative address before the Four-States Irrigation Council in Denver, Colo. He discussed some of the basic problems facing the utilization of this country's water resources, and brings to them all the tremendous storehouse of information and good judgment acquired through a lifetime devoted to the conservation of our water supply. He displays in his remarks the forcefulness and ability to go to the core of the issues which have helped him develop the Bureau of Reclamation into the resourceful and effective operation it now is. I recommend the reading of his remarks to everyone concerned about the future of this Nation and particularly to those with specific concern for our natural resources.

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

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). Is there objection to the request of the Senator from Colorado?

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

CONSERVING OUR LAND AND WATER

(Remarks by W. A. Dexheimer, Commissioner of Reclamation, Department of the Interior, Before the Four-States Irrigation Council, Albany Hotel, Denver, Colo., January 15, 1959)

All of us here are, to some degree, involved in food production. I take great pleasure in having a degree of responsibility in this most vital of all human enterprises, and I imagine that each one of you has an identical feeling.

While we go about our daily tasks of building canals, or delivering water, or processing beans, or feeding or transporting cattle, we are likely to be concerned with the tasks of the moment. Of course, we deal with our major and minor problems one by one, and out of the cumulative actions come the cumulative decisions that ultimately affect both progress and history.

Tonight, we gather to honor four individuals who have made great personal contributions to what we might call the total picture. I'd like to make a few remarks about the total picture taken in broad perspective.

First, let's consider the current status of agriculture in this four-State area, and later we'll look into long-range matters. In Kansas, Nebraska, Wyoming, and Colorado, an excellent year for production lies behind us. Only a few small areas in the four States had difficulties.

Many of the grain crops set alltime records, and others were near record. Sugar beets did well, second best on record, both pricewise and yieldwise. Fruits and vegetables had high yields. Most livestock trends continued upward. As always, at any given time, some price conditions were favorable for some products in some areas, and less favorable for others.

Waterwise, 1958 was what we call a good year. Reservoirs went into the growing season at high levels, and particularly on the Colorado-Big Thompson and North Platte projects, supplies were heavily used. Soil moisture conditions were favorable.

The Bureau of Reclamation functions according to river basins, and it is not very practical to assemble statistical information about reclamation projects by States. The Denver regional office, however, assembled some figures to show where we stand at the end of 1958 concerning projects in Nebraska, northern Kansas, southeastern Wyoming, and northeastern Colorado.

Project water was supplied during 1958 to approximately 1,145,000 acres. Facilities within the region now include 26 dams, which create reservoirs with irrigation storage capacity of 4½ million acre-feet. There are 2,700 miles of canals and laterals. The Federal investment in irrigation facilities is $350 million.

The estimated gross income from 9 projects in 1958 was $97 million—one-fourth as much as the irrigation facilities investment.

As an interesting sidelight, I might mention that only 13 years ago—at war's end, and the beginning of Missouri River Basin project construction—in this region there was only one bureau project offering irrigation service. That was the old, big, and strong North Platte.

Comparing 1958 with 1945, today we have in the region 3 times more irrigable acreage, double the irrigation storage capacity, and nearly 10 times the crop values.

Some of us most concern ourselves with daily price structures, replenishment of water supplies, and the complexities of national agricultural policies. Nevertheless, in the long run, these issues are transient. The surplus of corn and the depressed price of hogs may, next year, or a few years hence, be a matter only of historical interest.

In the business of utilizing land and water, we must recognize the dimensions of problems of the near future. Our population growth has immense implications. Most important are the water needs for the increased population, and industrial expansion.

Many of us in the Department of the Interior are repeatedly emphasizing in public these issues applying to population and water. The two are related subjects, the human resource constantly adding to the requirements imposed on the natural resource. We are not quite "voices crying in the wilderness"—many others inside and

outside of public life, one of them being Governor McNichols, are making the same crusade. The motive is common to all—it is to encourage public awareness that we must prepare now for the future.

The Bureau of the Census, a few weeks ago, reported that the United States population had risen by almost 20 million between the 1950 census and July 1957.

Seven million of this increase was in the 17 Western States, where the growth rate is almost double that of the 31 Eastern States. These four States have seen their population grow by 670,000 individuals during those 7 years, to the total of 5½ million.

This is where we stand. Now, where are we going? We're going into an increase in population that is staggering in its implications, yet is inevitable, barring calamity. During the next 20 years, we will reap the harvest of the postwar boom in marriages and babies, which were tied in with economic prosperity.

Dr. Philip M. Hauser, head of the population research center at the University of Chicago, was quoted recently in U.S. News & World Report that, should the birthrate persist the U.S. population, less than 100 years from now, would be about 1 billion persons. Taking the top-estimated forecast for the next 20 years, Dr. Hauser pointed out that an increase of 98 million people might occur.

The growth spiral has a compounding effect. The first postwar babies will be the mothers and fathers introducing a new generation in 5 to 8 years. The result of an ever-increasing base of young couples will be that the annual increase of births over deaths, now 2½ million, would be 4 million between 1965 and 1970, and about 5 million between 1970 and 1975, according to Dr. Hauser.

Two main factors: rising population and greater per capita use, bear on the problem of national water supplies. The Nation is using about 250 billion gallons of water a day. The demand, by 1980, might well be over 500 billion gallons a day.

Water is limited not only in quantity but in availability. It will be necessary to squeeze the available supply in nearly all parts of the country, this area being no exception. Irrigation, the largest single user at about 100 billion gallons daily, will be subjected to encroachment with ever-increasing strength, by both urban and industrial development.

This will mean, of course, that irrigation interests must prepare to defend their position. More immediately and more urgently, the irrigation interests must plan for and carry out water economies at once. The days are numbered for loose and squanderous misuse of irrigation water.

The storage and distribution works constructed by the Bureau of Reclamation, or being planned for future construction, are in addition to the works constructed by other agencies or by private organizations. All of these are worthy, in my opinion, because they are in the direction of conservation and use of available water. The value of these works will increase, not decrease, as the value of water itself rises.

It's only in the long view that we realize substantial progress has been made toward heeding the admonition voiced by Theodore Roosevelt in his eighth annual message to Congress. That famous conservationist declared in 1908:

"What has thus happened in northern China, what has happened in central Asia, in Palestine, in North Africa, in parts of the Mediterranean countries of Europe, will surely happen in our country if we do not exercise that wise forethought which should be one of the chief marks of any people calling itself civilized."

There are many men in this room who have contributed much to the wise use of the water resource, some of them not only in their local areas, but also in much broader domains. Four of them will be especially honored tonight, for their activities.

I have tried to emphasize the gravity of the population-water problem that lies in the near future. In many senses, that future is upon us now. All measures are prudent if they will help to conserve water, to improve water use, and to increase yields of desired agricultural products. Because the Four-States Irrigation Council exists to do these things, it is performing an exceedingly desirable service.

And now, it is my pleasure to announce the four individuals from among you who have been singled out to receive the Headgate Award this year.

COLORADO: RALPH L. PARSHALL

Not many men in the engineering profession have monuments bearing their name scattered throughout the world. Such a man, however, is Ralph Parshall, designer of the famous and efficient Parshall flume, the device widely used to measure water flows.

Ralph's whole career has been devoted to water engineering, as a teacher, as a representative of the Department of Agriculture, and as an inventor. Although he retired from the Department in 1948, after 35 years of service, he has not retired from an active life. The research laboratories of Colorado State University have been and remain his vocation and avocation.

Long and imposing is the list of devices Ralph developed at or through Colorado State University. He has studied water flows, measurement of flows, measurement of evaporation, silt control, and soil permeability. The equipment or techniques he created to solve specific problems of irrigation water deliveries are effectively serving in many places in the West, but especially in Colorado. Ralph Parshall's personal mark on irrigation is a permanent one.

KANSAS: GUY W. CALDWELL

Guy certainly ranks as one of reclamation's most ardent advocates, in Kansas or elsewhere. He helped to organize the Kirwin Irrigation District, the No. 1 district in Kansas, and has been its president since it was organized. He was born and reared in Smith County, and has always lived in the Harlan community. As a breeder of the finest Angus cattle, Guy has made a showplace of his Harlan farm and ranch, and has established a national reputation for the quality of his stock. He is equally accomplished as a farmer.

He started working for water conservation in 1932. His efforts were rewarded last year when the first acreage on the Kirwin unit received irrigation water. Facilities will be available for the full 11,500 acres to be irrigated next year. These facts culminate almost 30 years of interest and enthusiasm in water matters.

After helping to organize the Kansas Reclamation Association, he has served that organization as vice president, secretary, and treasurer, and at the present time is one of its directors. In 1945 he was a member of the committee that wrote the Kansas irrigation law.

NEBRASKA: GEORGE E. JOHNSON

Conferring the Headgate Award on George Johnson this year is appropriate timing, because he has just retired from full-time service with the Central Nebraska Public Power & Irrigation District, commonly known as the Tricounty.

George built the tricounty—literally. As its chief engineer and general manager, he had charge of the design, construction, and operation of the project—huge Kingsley Dam, forming Lake McConaughy with its 2 million acre-foot capacity; a system of works to deliver irrigation water to 100,000 acres; three hydroelectric plants, and hundreds of miles of transmission lines. Just a few months ago, the Canaday steam generating plant of 100,000-kilowatt capacity was put into service—another one of George's construction jobs.

Now, a consultant to the Tricounty, when he retired on December 31, he was chief engineer and manager of the steam generating division. A native of Nebraska and graduate civil and electrical engineer, from time to time he has been a consulting engineer for power and other construction in this area and also in the Argentine. Included in this remarkable career is 8 years as Nebraska's State engineer, a job in which he supervised all irrigation, waterpower, highway, and drainage work.

WYOMING: H. T. PERSON

Dean of the University of Wyoming's College of Engineering since 1948, H. T. Person is not only an educator, but an extremely active participant in water matters affecting his State. He has been a foremost adviser to the Wyoming State engineer, to the State planning board, and to the Wyoming commissioner for interstate compacts or negotiations on the Colorado, Snake, Yellowstone, Cheyenne, Bear, and Niobrara Rivers.

He has served both as president and vice president on the Wyoming Board of Examining Engineers, as chairman of the State planning board, and Wyoming representative on the Missouri River Basin interagency subcommittee.

Obviously selfless and a hard worker, he believes in organizations for the public good. He has held, in addition, offices in the Wyoming section of the American Society of Civil Engineers, the Wyoming Engineering Society, and the Wyoming Reclamation Association, and has been active in a number of national or regional organizations.

His broad knowledge and experience and his objective mind are currently being applied to a special service; he is consulting engineer to the Navajo tribal council on the use and division of the San Juan River waters.

THE FEDERAL BUDGET

Mr. ALLOTT. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial from the Rocky Mountain News with respect to the budget, which I believe is a very pithy and pertinent explanation of the situation in which we find ourselves this day.

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

COYOTE FOR WATCHDOG

Again Saturday night in Albuquerque, Senator LYNDON JOHNSON repeated that the last Democratic Congress clipped $5.6 billion off the budgets for fiscal 1958 and 1959.

It would be interesting to know what happened to that $5.6 billion.

The $71.8 billion budget submitted by President Eisenhower for 1958 was so vast that Washington was flooded with angry mail from taxpayers. Congress made deep cuts in some items but increased others. And through later deficiency appropriations, some of the original cuts were put back.

Result: Expenditures in 1958 were $71.9 billion. No saving there. The budget for fiscal 1959—the current year ending June 30—was $73.9 billion. Spending is estimated at $80.9 billion which again is no saving, but $7 billion more than the budget.

If, as Senator JOHNSON says, Congress saved $5.6 billion, there is a slight discrepancy

somewhere of $12.7 billion, or approximately the amount of the deficit expected his year.

The Federal debt, incidentally, has increased $14.5 billion in the same 2-year period, to $285 billion. The interest alone will cost $8 billion next year.

Senator JOHNSON spoke scornfully of reports President Eisenhower will use his veto power to check a "wild" spending spree.

"To set the present administration up as guardian of the balanced budget," he said, "is in the same class as hiring a coyote for a watchdog over the sheep."

We hope the Democrats will prove to be successful watchdogs.

COMPETITION IN STEEL BUYING

Mr. KEFAUVER. Mr. President, on September 15, 1958, Mr. Roger Blough, chairman of the board of the United States Steel Corp., made an address to the Economic Club of Detroit in which he was extremely critical of the Subcommittee on Antitrust and Monopoly, and of me in particular.

On September 22 I wrote to the Economic Club of Detroit asking them for an opportunity to reply to Mr. Blough. In a reply dated October 1, Mr. Allen B. Crow, president of the organization, stated that because of their crowded schedule they would not be able to give me this opportunity until the following March or April, and voiced some reservations concerning the propriety of my appearance.

I am happy to note, however, that there are other segments of the business community which have a broader attitude than the Economic Club of Detroit concerning the desirability of presenting both sides of the case. The business journal, Purchasing News, which serves purchasing agents in plants manufacturing metal products, approached me with the idea of presenting in an early issue Mr. Blough's address together with a reply which I might prepare. I was most happy to accept their generous invitation, and both Mr. Blough's speech and my reply appear in the January 12 issue of Purchasing News. I ask unanimous consent to have printed in the RECORD at this point the pages of this issue containing Mr. Blough's speech and my reply.

On the basis of letters which I have received, I am convinced that there are many businessmen throughout the country who are quite concerned over the implications of a continuation of the upward movement of steel prices. I wish to commend Purchasing News most strongly for giving to their readers the opportunity to appraise themselves of both sides of this extremely important issue.

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

COMPETITION: DOES IT EXIST IN STEEL BUYING?

(This important question is discussed in the following Purchasing News feature by Roger Blough of United States Steel, and Senator ESTES KEFAUVER. In a recent speech "Price and the Public Interest," Roger Blough, chairman of the board, United States Steel Corp., explains pricing in the steel industry. Because many of the comments made by Mr. Blough were leveled at Senator KEFAUVER, comparable space was requested in Purchasing News to present his point of view. Agreement to present the Senator's views was made on the stipulation that both sides of the question be presented side by side. We sincerely believe this important material is must reading for P.A.'s.)

BLOUGH SAYS

(Roger M. Blough, chairman of the board, United States Steel Corp., began his discourse with introductory remarks to his audience:)

Nevertheless, perhaps I'd better begin by saying to you gentlemen, very simply and very sincerely, that I would like never to see another price go up.

Like all of you here—and like every other businessman in America—I am deeply disturbed by the steady postwar upsurge in the prices of both goods and services. I am even more disturbed by the persistent inflation that has caused those prices to rise. I am equally disturbed by the headlong increase in wage costs which has contributed so importantly to the inflationary spiral. I am further disturbed by the skyrocketing price of government and by the consequent Federal deficit which is a major source of this inflation. But most of all, I am disturbed by what appears to be a conscious or unconscious campaign of misinterpretation and even representation, the purpose of which is to place all blame for the inflation upon the pricing policies of American industry. In fact, disturbed is an inadequate word to describe my reaction to what frequently amounts to a campaign of calumny peddled from high places by those who pose as defenders of the public interest.

"Mistaken champions"

Thus far, these mistaken champions of the public interest have concentrated their attack primarily upon three industries—steel, automobiles, and oil; but, if pursued, the natural results of this campaign will be to inflame public opinion against business generally and eventually to lay the groundwork for someone seizing an ever-larger measure of control over its affairs.

So I would like, today, to talk with you for a little while about this matter of price and the public interest—to examine with you some of the aspects of this propaganda campaign as it has been applied to steel, and to discover, if we can, whose public interest our attackers are serving.

Now the theme song of the campaigners, of course, is that a rise in the price of steel is little less than a national calamity. It makes no difference how small the price increase may be, nor how inadequate it is in the face of the ballooning costs of both wages and materials. Any price increase of any size is immediately denounced as unjustified. The campaigners proclaims that it will touch off another disastrous round of inflation and that it will cause consumers to "sit on their hands" and thus plunge the Nation back into the recession from which it is just now emerging. In short, they chorus that rising steel prices are the cause of inflation, recession, and all other economic ills.

And this—to put it as politely as I can—is a fairytale. You might even say that it is a "Grimm" fairytale. Let's look into it a bit.

Last year, in preparing to launch its attack upon the steel industry, the antimonopoly subcommittee of the U.S. Senate carefully picked a number of economists to come before it and show how the so-called administered prices of business had caused inflation. The experiment was not an unqualified success from the committee's point of view.

"Accusing finger"

Several of the economists pointed an accusing finger at administered wages and other rising costs; and one of the group—Prof. Richard Ruggles, of Yale—presented an exhaustive study of the Government's Cost of Living Index which revealed this challenging fact: That since 1951, the price of products—or things—has risen only 2 percent, while the price of services—or nonthings, such as transportation, medical care, laundry, haircuts, rent and so on—had risen 21 percent. In other words, the rise in the price of all the manufactured articles and other things that people bought had been negligible. And having presented this evidence, Dr. Ruggles concluded with these significant words—and I quote them exactly from the record. He said:

"It is not possible to maintain, in view of the statistical evidence, that administered prices have been primarily responsible for the inflationary spiral."

Now it may surprise you to learn that—through some mystifying oversight of its staff, no doubt—the majority report of the committee fails even to mention Dr. Ruggles' testimony. Perhaps the committee majority felt that the facts he presented were not in the public interest.

Also in the same committee record are facts from a similar study which was published in the New York Times last year. They show that while the price of steel had increased 14 percent since 1951, the price of household appliances, such as washing machines and the like, had actually declined by 13 percent during the same period. And in this connection the Times made a statement that is at once so true and so astonishing, that again I want to quote it verbatim. Said the Times:

"Though it may seem surprising, the price of steel could practically double and the cost of living would hardly show it."

And, gentlemen, do you know that by the strangest of coincidences, that evidence is nowhere mentioned in the majority report of the committee either?

But even more puzzling to me, is what I might call the strange case of the forgotten price reduction.

Some of you may recall that just 10 years ago this summer—in what was then hailed as an outstanding act of industrial statesmanship in a period of serious inflation—United States Steel refused a wage increase to its workers and reduced the price of steel by amounts ranging up to $5 a ton on those products which might be expected to produce the most immediate effect upon the consumer's pocketbook and the cost of living.

At that time the cost of living was rising at a frightening rate—fully four times as fast, in fact, as it has during the past year; and do you remember what happened to it after the price cut?

Well, it went up still faster, the march of inflation was not even fazed by the steel price reduction. It moved on, unabated; and within a few months, United States Steel had to raise wages, rescind the reduction and increase its prices in a belated effort to catch up with the tail end of the wage-cost procession that had already passed it by.

And then an interesting thing happened. No sooner had steel prices been raised than the cost of living began to drop. Month after month it went down until it reached the lowest level in 22 months. So here was a kind of laboratory test, if you will, which disproved completely the fairy tales that the campaigners keep telling. The whole story—fully documented—was presented in evidence to the Senate committee, and the senior Senator from Tennessee, as chairman of the group, was present and heard the entire testimony regarding this price reduction.

Yet the CONGRESSIONAL RECORD shows that on July 30 a member of the committee rose on the floor of the Senate and said:

"I should like to ask one more question of the distinguished Senator from Tennessee. Does he remember any testimony that the

steel companies have ever reduced their prices?"

To which Senator KEFAUVER replied: "I do not remember any."

Now I would not want to overemphasize this lapse of memory nor to examine too closely its relationship to the public interest. I would merely point out that certainly it served the interests of those who would confuse the American people into believing that there is an immediate and inseparable cause-and-effect connection between steel prices and the cost of living * * * that a steel price increase is the cause and a rise in the cost of living is invariably the effect.

No; the campaigners go merrily along, dinning their theme song into our tired ears. They tell us that the higher cost of steel will raise the price of everything from tractors to hairpins; that it will boost the price of everything from automobiles to safety pins; and they express concern about the price of appliances and bobby pins.

Now this universal preoccupation with the price of pins embraces an emotional appeal that is surefire stuff. You know the ancient tale: "For the want of a nail, the shoe was lost." And what could be lost for the want of a safety pin is almost too horrendous to contemplate.

But be of good cheer, gentleman. The Nation is not yet undone. I am happy to inform you that—according to the Government's Wholesale Price Index—the price of fasteners—including safety pins, hairpins, bobby pins, and zippers—has declined more than 14 percent in the past 10 years.

So let's face up to the facts.

And the fact is that in making all of the millions of products that they turn out, American manufacturers use many thousands of kinds of different materials, one of which is steel. The fact also is that when the price of any of these materials goes up, the manufacturer's costs go up accordingly; and that somehow under our competitive system he must meet these higher costs or "go broke." The fact is further that American manufacturers have done a magnificent job of offsetting much of this higher cost through research, improved technology, and the investment of vast sums of money in new, more efficient tools of production. So instead of being pyramided and passed along to the consumer—as the campaigners tell us they are—these costs have been absorbed in large measure.

But the most important fact, of course, is that the intrinsic or basic cost of the materials that go into all of the products that are made in America is only a small percentage of the total cost of those products.

Commenting on the price of steel, the other day, an official of the Ford Motor Co. was quoted as saying: "Labor costs mean more to the auto industry than material costs. About 80 percent of what you pay for a car goes for labor and only about 20 percent for materials—including steel."

And that, of course, is not only true of automobiles, it is true throughout industry generally.

If you took all of the products that are made in America, put them in one huge pile, and added up the price tags on the lot, upwards of three-quarters of this total value would represent the employment costs that were incurred all along the line of production. The remaining quarter or less would cover not only the basic cost of all the raw materials, but would also pay for the rental of property, the interest in debt, and the dividends that pay for use of all of the tools of production that were employed in the manufacture of those products.

"Insignificant in comparison"

So the truth of the matter is that the effect of a rise in the price of steel—or any other material—is so insignificant in comparison to the overwhelming importance of a rise in wage costs, that it is not—and never can be—a controlling, or even a dominant factor in the price of finished articles.

And this, of course, is precisely the fact that certain members of the Senate Antimonopoly Subcommittee have been trying so successfully to ignore.

When the steel companies—after a costly 5-week strike—reluctantly signed their present labor agreement with the union 2 years ago, everyone knew that the annual boosts in employment costs provided in that contract could not possibly be absorbed through an improvement in what some people call productivity, and could, therefore, only be met by a rise in prices. There was no secret about that. You knew it; we knew it; the union knew it; the public knew it; and the Government knew it. But the very same Senators who are now crying havoc at the rise in steel prices were strangely silent then. Did any of them ever raise his voice against these inflationary wage demands? Did any one of them even faintly suggest that such wage demands might not be entirely in the public interest?

No; there wasn't so much as a whisper from them.

Ever since last spring the automobile companies here in Detroit have been fighting to hold the wage-price line, knowing what the effect of the union's wage demands would be in the price of the 1959 models. But they have been fighting alone while the Senate subcommittee looks with studied care in some other direction.

So here we find an interesting study in practical politics. The committee majority professes to be amazed by the fact that industrial prices have risen at a time when demand was falling off in the market place. This, they say, is in defiance of all of the natural laws of economics; and they try to conjure up evidence to show that big, bad business monopoly has caused this unusual phenomenon.

"Unique phenomenon"

Yet with astonishing success, they have diligently failed to recognize a truly unique economic phenomenon which clearly accounts for the first: the fact that wage costs have never stopped their upward push, even though there are 5 million unemployed. Could it possibly be that this strange, and economically inexplicable behavior of wage rates has had, in baseball language, an assist from the massive power over costs—and therefore prices—which Congress itself has conferred upon the great national unions?

I merely ask.

Gentlemen, this subcommittee has spent hundreds of thousand of dollars of Federal funds to investigate prices in some of our major industries; and I am sure that the companies which have been haled before it have, together, spent many times that sum in preparing and presenting every fact and figure about their business that could be meaningful and legitimately helpful to the committee.

Had the committee used this material in a real, unbiased, scholarly, and nonpolitical effort to enlist the American people in an all-out attack upon inflation at its actual sources, every penny of this money would have been well spent, and the investigation would have performed a great service to the Nation. But the committee majority has chosen instead an opposite course, some of the reasons for which we can only surmise.

This political world being what it is, it could hardly be expected that the members of the committee majority could find the time or the inclination to point out that a basic source of the present inflation lies in the fiscal action of a Congress which, in 2 years, has raised the price of Government by $10 billion, and has left behind it a $12 billion deficit—an action which is certain to give inflation an added boost.

Neither, I suspect, would it be in the personal political interest of the committee majority to expose the extent to which the leadership of labor has been responsible for rising prices.

So the committee majority has chosen to devote its resources to antibusiness attacks on industrial profits—attacks which have already stimulated considerable discussion of peacetime price controls. Let's look at a quick sampling of the kind of misinformation that the taxpayers are getting out of this committee for their money:

The chairman of the committee keeps telling us, 12 months later, that the $6-a-ton price increase of last year has actually cost the direct buyers of steel $540 million and that the cost to the consumer was undoubtedly pyramided to several times that amount.

"Room for improvement"

Passing the fact that there is considerable room for improvement in his level of arithmetical accuracy since the industry shipped just 64,308,000 tons of steel products in the period, the obvious purpose of the chairman is to leave the impression that the dollars from the increased price went into the steel companies' pockets and somehow stayed there. Does he give equal billing to the fact that all the dollars going in went out and more too? And for what? Not for increased dividends, but to pay the increased wages and the other costs incurred during the 12 months that have passed. Proof enough of this is the fact that the industry's profit declined 50 percent between the first half of last year and the first half of this.

The chairman has also repeatedly stated that most of the wage increase which went into effect last July 1 would be offset by the long run increase in labor productivity. Now I don't know, of course, just how long a run the Senator has in mind; but the longer we run, at the past rate of wage increases, the worse off we are; for the undisputed evidence in the record of the committee shows that during the past 17 years, United States Steel's employment costs, per man-hour, have gone up at an average rate of more than 8 percent per year, while the Government's own reports show that output per man-hour in steel has risen by less than 3 percent per year. And anyone, including the Senator from Tennessee, who can really absorb the 8 percent out of less than 3 percent, is exactly the man our industry has been looking for, for years.

But the Wonderland arithmetic of the committee reaches its most mystifying proportions when the Senator and some of his colleagues discuss steel profits. They say, for example, that the $6-a-ton price rise of last year was at least twice as much as was necessary to cover the wage increase that became effective at the same time. Beyond that, they insist that the entire cost of the wage increase was offset by a decline in the price of scrap, as if this were all the cost a steel company has; and the conclusions which they draw from these statements are strange and wonderful to behold.

If they were correct, of course—if the increase in wage costs had been completely offset by a decline in costs—then, if we may also indulge in the committee majority type of shorthand mathematics—the profits of the steel companies would have gone up by more than $180 million.

The fact is, however, that their profits have dropped by $288 million in the 12 months that have passed since that price rise occurred; and the rate of profit has fallen from 7.2 percent on sales to 6.2 percent. In other words, had the companies raised the price of steel enough to cover their increased costs and to maintain their former profit rate during this past year of low demand, it would have taken a $10-a-ton price boost, instead of $6, to do the job.

"Embarrassing clarity"

Now the official reports of these companies have been published and are certainly known to the committee and its staff. They show with embarrassing clarity what the facts are; yet these members of the committee continue to repeat such groundless statements. And it makes you wonder whether the committee majority really believes in adequate profits for industry—and whether a business profit is a part of its political philosophy.

Commenting on what he called the destructive philosophy of the committee majority, as it would affect any company or industry, Senator EVERETT DIRKSEN, in his minority report on the committee's steel hearings declared:

"Indeed, the majority seems to feel that the attempt of such enterprises to operate profitably on a downward trend in the business cycle is somehow inimical to the national interest."

Further insight into the philosophy which holds that a lack of adequate business profits is somehow in the public interest was evidenced in the course of a session of the committee a few weeks ago which was devoted exclusively to the excoriation of steel prices and profits. The Senator from Wyoming spoke eloquently of the dangers arising out of the economic cold war which is being waged against us by Soviet Russia, and then said:

"United States Steel, which is in the position of leadership, wants to maintain itself in the black. The Government of the United States is in the red and is going further into the red; and I have no hesitation in saying that unless the leaders of American industry immediately act to help put the United States in the black, instead of letting it drift deeper and deeper into the red, we will not be able successfully to wage this cold war without great losses to industry and to the people alike."

"Deeper into the red"

Now I can understand the Senator's deep concern at the progress which Russia has made in the economic cold war against us. I understand it because I share it fully. I can also understand his profound concern over the Federal deficit, for I share that too. But if we are to infer that industry—by making a profit—is causing the Federal Government to drift deeper and deeper into the red, then his reasoning escapes me.

Consider for a moment that for every dollar of profit corporations make, the Federal Government collects $1.08 in corporate income taxes. The decline in steel profits alone that has occurred in the past year has already cost the Federal Treasury about $300 million; and were steel profits to be wiped out completely, the Treasury would suffer an additional loss of more than $700 million, thus pushing the Government just that much farther into the red, enlarging the deficit, and driving our Nation closer to the verge of uncontrolled inflation.

Consider, too, that under our Constitution the Senator from Wyoming and his 530 congressional colleagues have the ultimate power to control Government expenditures and receipts, and thus they determine what the Government's fiscal condition will be. So when the Senator appeals to the leaders of American industry to help put the United States in the black, about the best thing that industry can possibly do to aid the Senator in his dilemma, so far as I can see, is to strive to maintain the profits upon which the Government leans so heavily for its revenues.

But above all, consider the nature and the use of corporate profits. What are they?

Well, the fact is that profit, over the years, is nothing more nor less than the price which a corporation must pay for the use of all of the plants, mills, furnaces, machines, tools and other capital assets that it needs in the fabrication of its product. Without sufficient profits, industry can no longer replace its tools of production as fast as they wear out, at which point the workers who once used these tools are without work. Is that in the public interest?

Without adequate profits, industry can no longer adapt the fruits of research and improve—as it constantly has—our Nation's standard of living. Is that in the public interest?

Without enough profit, industry can no longer develop the new sources of raw materials that this Nation must have. Is that in the public interest?

Neither can industry obtain the new, more efficient machines and techniques that have thus far enabled it to absorb so much of the rising cost of labor and materials. Thus prices will then rise at a headlong pace. Will that be in the public interest?

In short, with American troops maintaining the peace in the Middle East, with the Seventh Fleet alerted at Quemoy, with Russian industrial technology advancing at such a rapid pace as to challenge, seriously, our own, and with the multiple problems of the cold war which so deeply and properly concern the Senator from Wyoming, how can American industry discharge its responsibilities to the national welfare and the national security unless it does make a profit large enough to do the enormous job that only a profit can do in the critical years that lie ahead? How else could industry possibly act in the public interest?

"Dangerous unwillingness"

Now surely the members of the committee majority, having achieved the high and respected office which they hold, are fully aware of the facts I have presented here today. Why then this dangerous unwillingness to consider these facts, unpalatable as they may be from a short range political point of view? What is the committee majority driving at?

I hope that the answer is not to be found in a statement which was made at a committee meeting last month by a Senator from Wisconsin—but this is what he said:

" 'Price control' is a word we always used to be scared of, but we are letting someone else control the price; why can't the American people control the price, through its Government?"

I am sorry to say the Senator's statement was warmly endorsed by several members of the committee.

Now it is true that one thing which the responsible public official must constantly guard against is a kind of natural itch to extend the powers of government over everything and everybody. In a way this itch is a sort of occupational hazard endemic in the world of politics, and must always be reckoned with. So it is inevitable, I suppose, that those who are afflicted in this way should try to foist peacetime price and wage controls upon the American people; but surely no responsible Member of Congress—knowing that authority and responsibility must go together—would ever seek to do so.

The Members of Congress are accountable directly to the people of their respective constituencies. They are not accountable directly to the owners, the customers or the employees of any business or enterprise, as management is. And for Government or any committee of Congress to try to usurp the functions of management—either by intimidation or by law—is as alien to our American constitutional concepts as for business to try to usurp the function of Government.

In fact, I can think of nothing that could insure a Soviet victory in the cold war more completely and more quickly than that the selfsame Members of Congress who have "controlled" the Government's finances into the deplorable condition described by the Senator from Wyoming, should now be allowed to "control" American business and industry into a state of acute capital starvation by attempting to regulate all prices, wages, and profits from Washington.

Gentlemen, if this unhappy concept of what appears to some to be in the public interest—as I have described it here today—were a threat to the steel industry alone, I would not have imposed upon your time and patience in this manner. But this dangerous philosophy of a profitless profit system is a grave and present menace not only to every business and industry in the land, but to the broadest possible public interest, including the national security.

Unless the American people understand the true facts, and are apprised of this danger, there is little hope that they will ever be able to deal successfully with the serious inflationary problem that confronts them. I can only suggest that it is up to you—the members of the Detroit Economic Club and of similar representative organizations all over our land—and each one of you, to lay the facts before them. You have no reason or right to assume others will do the job for you.

And time is of the essence; for as the Senator from Wyoming recently said, in what I am sure was a statement of great perception (although used in a different context):

"If we destroy the free economy, we will destroy free government. That is the situation that confronts us."

And, gentlemen, it certainly is.

KEFAUVER SAYS

(Senator ESTES KEFAUVER, of the Subcommittee Investigating Pricing, told Purchasing News:)

Mr. Blough's speech is an important address in that it represents the approach which apparently has been decided upon by the management of the Nation's third largest industrial corporation to questions raised by a congressional committee—in this instance the Senate Subcommittee on Antitrust and Monopoly of which I have the honor to be chairman. The questions raised were important to the economy, to steel consumers, and to the general public; they included such important issues as: (1) How could prices rise in the face of declining demand and substantial excess capacity; (2) why did each of the steel companies, some of which appear to have lower costs than United States Steel, raise their prices by the same amount and to the same level as United States Steel; (3) what is the explanation for bids identical to the thousandths of a cent; (4) to what extent was the price increase justified by the increase in labor costs? What is really significant about Mr. Blough's speech is that it apparently represents a considered decision not to discuss these and related issues on the basis of reason and logic, but rather simply to malign the subcommittee with misinterpretations and distortions. To those whose hope for the future is based upon mankind's ability to solve his problems objectively, this is a saddening state of affairs. But it makes all the more necessary the task of setting the record straight, which I shall now attempt to do.

"Not too subtly"

The principal theme of Mr. Blough's speech is that in addressing itself to the recent price increase in the steel industry, the subcommittee deliberately ignored the fact that wages had been increased. It is inferred, but not too subtly, that this was done for political purposes. Mr. Blough states that when the contract with the union was signed 2 years ago, it was obvious that the wage increases agreed upon would require increases in prices. Yet, he says, "But the very same Senators who are now crying havoc at the rise in steel prices were strangely silent then. Did any one of them ever raise his voice against these inflationary wage demands? Did any one of them even faintly suggest that such wage demands

might not be entirely in the public interest? No; there wasn't so much as a whisper from them." May I point out that at that time no inquiry was being made of administered prices in the steel industry and that the facts on which to base an evaluation of wage-price changes were not being gathered. In the absence of any factual basis I considered it inappropriate then, as I would in any similar situation, to comment on whether a price increase was justified by a wage increase.

One year later, however, we did begin an inquiry into the matter in the course of which we gathered the facts on the wage-price increase in 1957. As Mr. Blough well knows, far from ignoring the wage issue, the subcommittee spent many days in examining the question of the extent to which the 1957 price increase reflected the wage increase. The facts indicated that the price increase was at least twice the increase in wage costs. It is these facts, which he has been unable to refute, that are the real cause of Mr. Blough's present unhappiness.

"Astonishing observation"

Mr. Blough then goes on to make the astonishing observation that our failure to object to the wage-price settlement in the steel industry in 1956 is paralleled by the subcommittee's indifference to the cost-price situation in the automobile industry. Referring to the conflict between the union and the automakers, Mr. Blough states that the Senate subcommittee has been looking with studied care in some other direction. This may come as a surprise to officials of the automobile companies, to the union and to outside experts who have spent many days this year testifying before the subcommittee on the general wage-cost-price-demand situation in the automobile industry. For Mr. Blough's information those hearings, running to several volumes, will shortly be published.

Mr. Blough's contention that I am concerned only with price increases and studiously ignore wage increases is false, and Mr. Blough knows it to be false. Beginning in the latter part of May of this year, I made a speech on the steel price situation virtually every day on the Senate floor. During these speeches I repeatedly addressed myself to the forthcoming wage increase in the steel industry. On May 22 I sent a letter to the President urging him to adopt voluntary measures to halt the inflationary spiral and calling his attention to the success with which voluntary measures had been used in the early years of World War II to stabilize prices and wages. Among the steps taken then, whose use at this time I urged upon President Eisenhower, were "efforts to persuade labor that for the welfare of the economy they should hold the wage line and avoid inflationary wage increases." In this letter, which was made part of the public record on June 13, I made my position on the wage question crystal clear, stating: "I have every hope and belief that a program designed to stabilize prices through voluntary means will receive the full cooperation of labor. If labor organizations were to persist in demands which exceed productivity gains and require significant increases in prices, the spotlight of publicity should be turned on them." On June 20 I sent telegrams to Mr. Blough and Mr. David McDonald, president of the United Steelworkers, outlining to both the dangers of a steel price increase and asking them to attend a conference which I hoped would be called by President Eisenhower to work out a voluntary program on wages and prices. Although President Eisenhower never did call the conference, David McDonald, of the Steelworkers, in his reply to me stated that he would be glad to participate. Again, on August 4 the majority of the members of the subcommittee joined together in urging the President "to call a conference of representatives of industry and labor to formulate a wage-price program to arrest what appears to be developing into a permanent inflationary trend, which continues unabated regardless of whether the economy is in a state of prosperity or recession." We emphasized that "important as are the interests of both industry and labor, they are secondary to the public interest."

This, I surmise, is what rankles Mr. Blough. It is not that we have been ignoring the wage question—a charge which he knows is not true. It is that we have emphasized that the public interest is paramount to the interests not only of labor but of industry as well.

A corollary line of argument advanced by Mr. Blough is that the subcommittee is opposed of profitmaking. We stand accused of being in favor of a dangerous philosophy of a profitless profit system. Criticism of a price increase as exorbitant is made the equivalent of an attack upon our American free enterprise system. This is a level to which I never thought Mr. Blough would sink. Again, my position on profits has repeatedly been made clear. Thus, on June 18, I said in a speech on the floor of the Senate:

"To resolve any possible confusion that might arise on this point, I wish to make it abundantly clear here and now that I am not opposed to profitmaking by the steel companies or any other companies. Indeed, I wish that the steel companies had made greater profits than was actually the case last year. Those of us who are concerned about the price behavior of the steel industry and its possible consequences are not concerned with how much money the steel companies make; what does concern us is how they make their profits."

"Two ways of making profits"

I then went on to point out that there are two ways of making profits—the old American way, epitomized by the elder Henry Ford, of low unit profits and high volume and the European cartel pattern of low volume and high unit profits. What concerns me is the danger that certain concentrated American industries such as steel may be adopting the cartel method. Mr. Blough speaks of the work of the subcommittee as alien to our American constitutional concepts. What is really alien to American concepts is the replacement of the traditional American method of profitmaking by the restrictive method of high prices and limited production and employment. That this has in fact been taking place in the steel industry is indicated by the ability of the steel companies to realize favorable profit showings while operating at relatively low levels of production. For example, in the first half of 1958 the profit rate after taxes on stockholders' investment for United States Steel was 9 percent on an annual basis. This is about the same level as the company enjoyed in such good years in the past as 1924, 1925, 1928, 1949, and 1954. The one great difference, however, is that in order to attain this profit rate in the past United States Steel had to operate at 75 to 85 percent of capacity. Now it is able to achieve the same profit percent of capacity. How many others can make that claim?

In his speech, Mr. Blough cites the decline in profits between 1957 and 1958 as proof of the incorrectness of the subcommittee's conclusions. Mr. Blough knows that profits in the steel industry, as in most other industries, are determined to a considerable extent by the level of production. He knows that between 1957 and the first half of 1958 the operating rate of United States Steel Corp. fell from 85 to 54 percent. He knows that as a result a decrease in profits was inevitable. Yet, without mentioning the decline in production, he draws from the decline in profits the inference that the price increase was fully justified and that indeed an even greater price increase would have been in order.

That the industry's price increase in 1957 was greater than its cost increase is made abundantly clear by the fact that those steel companies which suffered a decline in production maintained or even increased their profits, while those which maintained their production at about the same rate showed sharp increases in their profits. An extreme example is the case of Jones & Laughlin Steel Corp. which, between 1956 and 1957, suffered a decline in its percent of capacity operated from 97 to 88 percent; yet its net profits after taxes actually rose from $45.1 million to $45.5 million. Youngstown Sheet & Tube had a decrease in its operating rate from 94 to 82 percent; yet its net profits remained virtually unchanged at $43.2 million in 1956 and $42.5 million in 1957. United States Steel Corp., it happens, had exactly the same operating rate in 1956 as in 1957—85.2 percent; yet its profits rose from $348 million in 1956 to $419 million in 1957—an increase of 20 percent. Bethlehem Steel Corp. had about the same operating rate in both years—91.6 in 1956 and 93.3 in 1957; yet its net profits rose from $161.4 million in 1956 to 191 million in 1957—an increase of 18.3 percent.

Third line of attack

In addition to criticizing the subcommittee for ignoring the wage increase and opposing the profit system, Mr. Blough draws a third line of attack in which he seeks to demonstrate the ineffectiveness of steel price reductions in stemming the rise in the cost of living. According to Mr. Blough's account—which does not suffer from any undue modesty—United States Steel in 1948 tried to play the role of industrial statesmanship. The company refused a wage increase to its workers and reduced the price of steel by amounts ranging up to $5 a ton on those products which might be expected to produce the most immediate effect upon the consumer's pocketbook and the cost of living.

But with what results? Mr. Blough says, "The march of inflation was not even fazed by the steel price reduction. It moved on, unabated; and within a few months, United States Steel had to raise wages, rescind the reduction and increase its prices in a belated effort to catch up with the tail-end of the wage-cost procession that had already passed it by." Moreover, although this story, according to Mr. Blough, was presented to the subcommittee in my presence, I disclaimed knowledge of it on the Senate floor. In response to a question of whether I remembered "any testimony that the steel companies have ever reduced their prices," I replied, "I do not remember any."

Thus the story is complete: United States Steel tried to arrest the rise in the cost of living by reducing steel prices; the effort failed; and on top of that I stand convicted of not being in good faith. It is a nice, neat story, complete with punch line. Its only flaw is that it bears only a passing resemblance to the truth.

Let us take a look at that 1948 price reduction. True, there was a reduction in the price of finished steel. Between April and June the composite price of finished steel published by Steel magazine declined by 1 percent—hardly enough, incidentally, to have much effect on the cost of living. It wasn't much of a drop, but, as Mr. Blough says, a decline in the price of finished steel did take place.

But this is only part of the story. Two months earlier, United States Steel had increased the price of semifinished steel. This is steel purchased as raw material by small, nonintegrated steel companies, which they then process into finished steel products and sell in competition with the finished steel products of the big companies. Hence, these small producers are at one and the same time

in competition with the integrated concerns in the sale of finished steel and dependent upon them for their supply of semifinished steel. By raising the price of the semifinished steel while holding the price of finished steel unchanged the big companies can put a "squeeze" on their smaller rivals. This is what actually happened in 1948.

"Squeeze was tightened"

In February, the price of semifinished steel was raised substantially, the index of rerolling billets and slabs published by Iron Age rising 12 percent. The price of finished steel was held unchanged. Two months later the squeeze was tightened, as United States Steel and the other big producers lowered the price of finished steel. This was the benevolent act of industrial statesmanship referred to by Mr. Blough. The squeeze was eased some months later, not because United States Steel had regretfully concluded that a 1 percent drop in the price of finished steel had not arrested the rise in the cost of living, but because of the many protests against this vicious, monopolistic maneuver from within the industry and from Congress.

In March 1948, hearings were held by the Joint Economic Committee under the chairmanship of Senator Taft. The hearings reveal the Senator to have been highly critical of the big firms, particularly United States Steel, for having imposed the price squeeze on their smaller rivals. The testimony indicated that the smaller companies were unable to absorb the price increase on semifinished steel and remain in competition with the big companies. The committee in its report states:

"In the hearings held by this committee under the chairmanship of Senator Taft in 1948 the fact was brought out that the increases then promulgated squeezed the independent fabricators. The results appear clearly in the profit records of the individual [steel] companies" (81st Cong., 2d sess., S. Rept. No. 1373, p. 20).

The only element in common between Mr. Blough's fanciful account and the true record is that the price of finished steel was reduced in 1948. But the reduction was accompanied by an increase in the price of other types of steel, it was much smaller than implied by Mr. Blough, and it was put into effect for an entirely different and hardly laudatory purpose.

When, in response to the question on the Senate floor, I replied that I did not remember any price decreases by steel companies, I was of course speaking of fairly recent years and what I particularly had in mind were the unsuccessful efforts by Mr. Blough during hearings before our subcommittee to cite instances where other steel companies had lowered their prices below those of United States Steel. In trying to create the impression that United States Steel was not in fact the price leader, Mr. Blough cited examples of price actions taken by other steel companies before United States Steel had changed its price. Upon examination, none of these examples turned out to be true illustrations of the point which Mr. Blough was trying to establish. They consisted merely of instances in which other steel companies had narrowed or eliminated a premium above United States Steel's price which they had been able to charge during a seller's market. Or, they consisted of instances in which certain smaller steel companies which had not been closed by a steel strike had changed their prices in anticipation of the strike settlement. The only instance produced by Mr. Blough of a price action taken by another steel company which resulted in a price below United States Steel's was the failure of Republic Steel in 1954 to increase its price on one product, galvanized sheets, by the full amount of the increase imposed by United States Steel, with the result that about a month later United States Steel rescinded part of its increase to bring its price into line with Republic's lesser increase.

What Mr. Blough has thus done on this price question is to follow the same line of attack that he employed on the wage and profit matters. This has been to create a diversionary issue which would draw attention away from the facts. It matters not to Mr. Blough that the diversionary issue may be misleading or even false as long as it accomplishes its purpose. While scarcely commendable, this tactic is certainly understandable in view of the nature of the record. Very briefly the record on prices is one of continuing price increases since World War II which are made regardless of whether labor costs are rising or falling or whether demand is increasing or decreasing, of price increases which have raised the industry's profit rate in relation to production to levels far above anything which has ever existed in the past, of the consequent addition of many billions of dollars to the cost of goods and services throughout the economy, of virtually a complete absence of price competition in the industry, and of the clear and unmistakable dominance of United States Steel as the industry's price leader.

Mr. Blough makes a number of other points in his speech which are so absurd or so inaccurate as to warrant only passing reference. For example, he states, "Any price increase of any size is immediately denounced as unjustified." May I point out that the task of denouncing the thousands or probably even millions of price increases which occur yearly throughout the economy would have occupied the full time of each member of the subcommittee working 24 hours a day. Actually, questions have been raised of price increases in only three industries—oil, automobiles and steel—and those are industries in which questions needed to be raised.

"As a surprise"

He states that the economists who opened our hearings on administered prices were carefully picked * * * to come before it and show how the so-called administered prices of business had caused inflation. That this was the function they are supposed to perform will come as a surprise, I am sure, to such distinguished men as Dr. Edwin C. Nourse, Dr. Gardiner C. Means and the others who appeared. As for being carefully picked the record should show that all of the country's economic authorities who have specialized on the subject of administered prices were invited to testify, and the subcommittee heard all of them with the exception of two who were unable to appear.

Mr. Blough persists in talking about the rise in employment costs per employee-hour. As was pointed out by the subcommittee in its report, this is just as meaningless as a measure used by the union of profits per man-hour, and for essentially the same reason. As productivity rises with the replacement of labor by machinery, the number of man-hours required to produce a given amount of steel will decline. Therefore, other things being equal, both employment costs per man-hour and profits per man-hour will rise. But the significance of these trends has not been made clear by either Mr. Blough or the union. What would be significant would be a breakdown of labor costs, materials cost, and other costs, not per man-hour, but per ton of steel produced. After all, the steel industry is not a law firm; the unit of measurement on which its price is based is not hours expended but tons of steel produced. Unfortunately, United States Steel and the other steel companies have persistently refused to disclose their costs in terms of the meaningful unit of measurement.

Mr. Blough cannot, in strict logic, be accused of reasoning in circles, because he never quite closes his circles. He fails to recognize himself when he meets himself coming back. He complains that the Congress is partly responsible for inflation, because, he says:

"This political world being what it is, it could hardly be expected that the members of the committee majority could find the time or the inclination to point out that a basic source of the present inflation lies in the fiscal action of a Congress which, in 2 years, has raised the price of Government by $10 billion, and has left behind it a $12 billion deficit—an action which is certain to give inflation an added boost."

He knows, of course, that Government spending cannot be reduced in periods of cold-to-lukewarm war. He knows that the way to avoid deficits is to increase taxes. Yet a major part of the statement prepared for the subcommittee by his Finance Committee chairman, Mr. Tyson, was a plea for tax reduction for the steel industry in general and United States Steel in particular. And last year, when Mr. Blough submitted to the subcommittee a memorandum on "Inflation and What the Congress Might Do About It," he said nothing about raising taxes to cover the deficit he now complains of.

Perhaps the real significance of Mr. Blough's speech is that it may be symptomatic of the way in which top management of our large corporations has decided to respond to criticism. Confronted with the highly unusual behavior of rising prices at a time of declining production and employment, it was almost inevitable that Members of Congress and the public would begin to ask questions. Top management has the choice of meeting these questions either through the "high road" of reasoned argument or the "low road" of invective, misrepresentation and falsehood. It is saddening that in this speech Mr. Blough has chosen the latter.

In particular, his speech will come as a blow to those economists, political scientists, and social philosophers who believe that corporate management has entered on a new era—an era in which management is aware of and responsive to its responsibilities to the public interest and can defend its decisions to the public on reasoned grounds. Mr. Blough's speech is proof that either such reasoned grounds do not exist or, worse, that they were deliberately ignored in favor of flip and facile charges unsupported by fact or reason. Although he may not realize it, Mr. Blough has compounded the difficulty of defending his cause.

NATIONAL SECURITY—ADDRESS BY SENATOR RUSSELL BEFORE RESERVE OFFICERS ASSOCIATION

Mr. TALMADGE. Mr. President, on Friday night, January 30, the Reserve Officers Association of the United States paid a richly deserved tribute to the outstanding record and myriad accomplishments of my distinguished senior colleague [Mr. RUSSELL] in presenting to him its Minute Man of the Year Award. The accompanying citation acclaimed him as the man who has "contributed most to provide national security in the United States."

We in Georgia are tremendously proud of our senior Senator and the selfless dedication with which, for more than a quarter of a century, he has brilliantly served the interests of his State and Nation. We are particularly pleased that the Nation as a whole shares our pride and recognizes the great debt of gratitude which all Americans owe to him.

The address which the illustrious senior Senator from Georgia delivered

on the occasion to which I have referred is a masterful and moving assertion of the determination of the American people to maintain the strength and heritage of our Nation. It should be read by every American, and I ask unanimous consent to have it printed in the body of the RECORD.

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

ADDRESS BY SENATOR RICHARD B. RUSSELL, DEMOCRAT, OF GEORGIA, CHAIRMAN OF THE SENATE ARMED SERVICES COMMITTEE, ON RECEIVING THE RESERVE OFFICERS ASSOCIATION MINUTE MAN AWARD FOR 1959, AT THE SHERATON PARK HOTEL, WASHINGTON, D.C.

Mr. President, members of the Reserve Officers Association of the United States.

I accept the award of Minute Man of the Year with a feeling of great humility. I accept it with the full knowledge that the greatest contribution any citizen can make to our national security is but a small part of the total effort necessary to keep our country strong and free.

In this land of ours, the security of the country is a responsibility devolving upon all Americans in all walks of life. Over a period of many years, no group has contributed more to the security of our Nation than the members of the Reserve Officers Association of the United States. It is, therefore, a peculiar honor and distinction to be selected by you as the citizen who contributed most to provide national security to the United States.

From the time of George Washington, the concept of supporting active duty forces with a well trained reserve has been a generally accepted doctrine of our national defense system. The citizen soldier led in most instances by reserve officers, have been the principal components of the Armed Forces that have brought this Nation victory in every war in which we have been engaged.

Our plans to defend this country in the future in large part rest upon the expected contributions to be made by those who in time of peace preserve the identity and the efficiency of reserve organizations who will be the first called in time of war.

I deem it a privilege this evening to salute and commend the reserve officers of this Nation for their continuing interest in all things that affect the military strength of this Nation.

While questioning the validity of your selection, I can say in all good conscience that no one has a greater desire to contribute to our national security. In these times of stress and danger, there can certainly be no higher objective in life. If my efforts have contributed substantially to our country's defense, that fact of itself would be reward enough for any man.

Today, the name of those who work toward national security is legion. Few persons in our country do not contribute in some way—either directly or indirectly.

Those who serve in the active military forces, those who stand alert in our Ready Reserve, are of course, the first line of the Nation's defenses. But some aspect of our security efforts touches almost every living American every day of their lives.

The citizens who pays the taxes to finance the Defense Establishment; those in the executive branch who labor over war plans and military programs; the Congress that seeks to provide the means of implementing the plans; the industrial worker who produces the arms; the farmer who raises the necessary food and fiber; the scientist who designs our missiles—all these and many others are vital components of the national strength.

During my service in the Congress, the degree of interest in our Reserve organization has varied from time to time. Some of those who have directed the administration of the Deparment of Defense have sought to emphasize the importance of a large and well-trained Reserve. Others have limited their interest in a Reserve program to lip service. It has been frequently said that our military establishment either enjoys a period of feast or famine. The Reserve organization is more familiar with varying degrees of a famine diet.

The members of this organization have consistently sought to impress upon the Congress and the country that a strong and active reserve is a vital part of any adequate system of national defense.

The vital question as to whether our national defense is adequate is one that is difficult to answer with any degree of certainty. Whether or not our defense is adequate depends on our strength as compared to that which may be brought to bear against us by our potential enemies.

This places us at an immediate disadvantage. The countries lying behind the Iron Curtain can be much more secretive than the Free World about their war-making potential and their success in development of the terrifying new weapons of the Space Age.

We are confident that our Armed Forces are capable of inflicting great destruction on any enemy in a general war. We must recognize that the balance of arms is an equation that must be constantly re-examined in the light of the best intelligence estimates as they become available.

Although I realize the objections to such a course, I have frequently thought that the American people should be told frankly of the capabilities of our potential enemies based on the best estimates of our military and intelligence officials. I believe this would create better public understanding and awareness of the effort required for national survival.

I have unlimited faith in the willingness and determination of our people to support whatever defense measures are needed to preserve our freedoms, if they are given a candid explanation of the need.

Because of this confidence in the people, I am not reassured by bland statements that our defense strength is "greater than ever before." We must know it is enough to survive. To borrow an illustration from football, it is obviously better to have 14 points in a 14–7 victory than to have 21 points in a 28–21 loss.

Technological progress of the last decade and the promise of even more startling developments in the immediate future have introduced many complications to defense decisions. In a transitional period, some of the old weapons and techniques must be abandoned to make way for the new.

If we could predict with certainty the type of conflict in which our Armed Forces are likely to become engaged, a choice of systems and the establishment of spending priorities would be greatly simplified.

It is fundamental by now that we must maintain a potent retaliatory force capable of deterring overt aggression and use of force by the Kremlin.

International events since the hostilities in Korea emphasize the many possibilities of armed conflict calling for what have been termed "conventional forces," although this is a term of changing and imprecise meaning. Indeed, our possessing of great retaliatory power may logically increase the probability that conflicts will occur in a degree less than total.

If both we and our enemy have the power of terrible destruction in a nuclear war, the chances of such a war are greatly decreased. This increases the likelihood of a large number of small wars for which we must be prepared. Our destruction can be as certain through a nibbling process maintained long enough as it could be by the horrors of a nuclear holocaust.

After making these basic observations, I should attempt to relate the role of our Reserve forces to our overall defense effort.

I have always believed that there is a clear relationship between the size of the active duty force and the size of the Reserve forces.

The successive reductions in our active duty forces that have been made by our defense planners within recent years have been a source of genuine concern and alarm to many of us charged with a responsibility for our national security.

The last Congress registered its strong disapproval of the proposed reduction of the Regular Army to 870,000 men and the Marine Corps to 175,000. This reflected a growing Congressional concern that reductions in the resources and strength of the Army are impairing its ability to meet its responsibilities throughout the world.

I am distressed that the Defense Department is going forward with plans to reduce the strength of the Army and Marine Corps despite the intent of Congress to the contrary.

If these reductions are to be made despite our protests, it becomes even more essential that compensative emphasis be placed on the effectiveness of the Reserve forces.

Unfortunately, I fear that the effectiveness of the Reserves has not received the attention that it deserves by defense officials in the executive branch. Except for Congressional action having the force of law, the number of our Reserve forces would have been reduced by 70,000 during this fiscal year.

This action by the Congress in exercisting its constitutional responsibility of raising and supporting armies met with the keen displeasure of some defense officials. They have already renewed their efforts to reduce the Reserves in the coming fiscal year.

I, for one, will vigorously oppose any effort to restrict the Congress' lawful prerogative in this field, and I shall fight any attempt to impair the effectiveness of the Reserve forces.

I readily concede that size is not the sole measure of the strength of our Reserve forces. Increasingly complex weapons and changing strategic and tactical concepts compel reevaluation of both the organization of the Reserve and the type of training it must conduct.

Old weapons and techniques are made obsolete from day to day.

This makes all the more important the training of the Reserve forces on which we will be compelled to depend in the event of all-out war. The technique of a rapid countdown of IRBM's and ICBM's cannot be acquired in brief training. Such new developments as the Polaris have revolutionized the technique of submarine warfare. The obligation upon the Congress of the United States to maintain an adequate defense cannot be met unless the Congress meets its obligation to the Reserve forces.

The leaders of our Reserve forces, such as the members of this organization, have declared their willingness to accept necessary change to intensify training of the type needed for utilization in an active-duty status.

My experience with Reserve leaders convinces me that you are eager to cooperate and to maintain the kind of Reserve structure that military considerations demand. At the same time, you are justified in questioning reductions in strength that are masqueraded as modernization without having any real basis in doctrine.

I could not conclude my remarks without expressing my appreciation to the members of this organization, not alone for the honor bestowed on me tonight, but for your dedicated service in the Reserve. As leaders of our Reserve forces, you deserve a large share of credit for the Reserve strength that we have. This Reserve strength is substantial despite our recognition that it could and should be greater.

I commend you for your enthusiastic participation in our national security effort, and I urge you to continue your interest and your activities in this trying era of international stress.

We have a common goal—the security and freedom of our country. By working together, in a spirit of eternal vigilance and stout determination, ours will continue to be "the land of the free and the home of the brave."

Thank you.

SCHOOL SEGREGATION CASES—ARTICLE BY CHARLES J. BLOCH

Mr. TALMADGE. Mr. President, one of the greatest legal minds of this century is that of Hon. Charles J. Bloch, of Macon, Ga. Mr. Bloch was president of the Georgia Bar Association in 1944–45, and was chairman of the Judicial Council of Georgia from 1945 to 1947. He is chairman of the rules committee of the Supreme Court of Georgia, is the author of the widely acclaimed book "States' Rights—The Law of the Land," and is a nationally recognized authority on constitutional law.

With the precise and unassailable legal logic for which he is noted, Mr. Bloch has written an article for the January 1959 issue of the American Bar Association Journal which should be convincing to all who will read it with open minds. It is entitled, "The School Segregation Cases: A Legal Error That Should Be Corrected." It is an article which should be read by every American and, in order that it might be given the widest possible circulation, I ask unanimous consent that it be printed in the body of the RECORD.

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

THE SCHOOL SEGREGATION CASES: A LEGAL ERROR THAT SHOULD BE CORRECTED

(By Charles J. Bloch, of the Georgia Bar (Macon))

(In this article, Mr. Bloch undertakes to answer the position set forth by Attorney General Rogers in his address before the assembly of the American Bar Association in Los Angeles (published at p. 23 of this issue of the Journal). Mr. Bloch feels that the Attorney General is ignoring long-established constitutional doctrine, particularly judicial constructions of the 14th amendment practically contemporaneous with its ratification, when he says that the Supreme Court's decision is the law of the land.)

I was graduated from the University of Georgia in 1913. I was admitted to the bar of Georgia in 1914. I was admitted to the bar of the Supreme Court of the United States on December 18, 1918. I have been practicing law in Georgia for almost 45 years. Maybe those dates only demonstrate that I am old fashioned. So is the Constitution. It is a century older than I am, but "equal" means the same today and meant the same in 1954 as it did in 1927, 1893, and 1789.

When I was in college, we were taught what I still believe to be the law of the land. We were taught that the plain mandates of the Constitution, the Ark of the Covenant, were to be obeyed, not evaded. We were taught that the power of the courts and the duty of the courts were to construe the Constitution, not to amend it or distort it to conform to their personal notions and beliefs.

Conditions in the world of 1893–1913 were not static any more than they have been in the world of 1938–58. But no attempt was in those days made to amend the Constitution by judicial fiat or decree. If the changed conditions required a change in the organic law, the organic law was not stultified and destroyed in order to accomplish the change. The organic law was amended in the manner provided in it.

In 1895, the Supreme Court of the United States in an opinion written by Chief Justice Fuller, with Justices Harlan, Brown, Jackson, and White dissenting, held that an income tax law passed by the Congress was unconstitutional. Said the the Chief Justice, with whom Justices Field, Gray, Brewer, and Shiras concurred:

"It is the duty of the Court in this case simply to determine whether the income tax now before it does or does not belong to the class of direct taxes, and if it does, to decide the constitutional question which follows accordingly, unaffected by considerations not pertaining to the case in hand."[1]

There was a great hue and cry over that decision. Populists did not like it. Southerners did not like it. The farmers of the great West did not like it. About the only segment of the population which did like it was that segment concentrated in the northeastern section of the country.

Justice Field retired from the Court in 1897; Justice Gray in 1902; Justice Brewer in 1910. Other gentlemen succeeded them as Justices. But no attempt was made to have a new Court amend the Constitution by reversing the Income Tax case of 1895.

The meaning of the provisions of the constitutional provision as to the power of Congress to levy taxes had "take[n] on meaning and content as" it was "interpreted and applied in" that specific case.[2]

LEGAL AMENDMENT * * * NOT USURPATION OF POWER

The Constitution provided for its own legal amendment. That method was followed, and 18 years later, the 16th amendment supplanted the decision of the Court. The organic law remained unwounded. It had been amended by due and legal process, and not by usurped power.

The 14th amendment to the Constitution of the United States, proclaimed in 1868, in its first section, thus ordains:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law, which shall abridge the privileges or immunities of citizens of the United States. Nor shall any State deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction, the equal protection of the laws."

The constitution of the State of Missouri provided that male citizens should be entitled to vote.

In this situation, Mrs. Minor, a native-born, free, white citizen of Missouri, over 21 years of age, sought to vote. She asserted that she had that right because of the 14th amendment. The case reached the Supreme Court. Chief Justice Waite speaking for a unanimous Court denied her the right to vote, saying:

"Certainly, if the courts can consider any question settled, this is one. For nearly 90 years the people have acted upon the idea that the Constitution, when it conferred citizenship, did not necessarily confer the right of suffrage. If uniform practice long continued can settle the construction of so important an instrument as the Constitution of the United States confessedly is, most certainly it has been done here. Our province is to decide what the law is, not to decide what it should be. * * * If the law is wrong, it ought to be changed, but the power for that is not in us. The arguments addressed to us bearing upon such a view of the subject may perhaps be sufficient to induce those having the power to make the alteration, but they ought not to be permitted to influence our judgment in determining the present rights of the parties now litigating before us. No argument as to woman's need of suffrage can be considered. We can only act upon her rights as they exist. It is not for us to look at the hardship of withholding. Our duty is at an end if we find it is within the power of a State to withhold."

So spoke Chief Justice Waite and Associate Justices Clifford, Miller, Field, Bradley, Swayne, Davis, Strong, and Hunt in 1874.[3] Very soon, some of those Justices died; vacancies occurred in the Court. By 1897 not one was left. But there was no effort made to have the new Court, in the light of changed circumstances of women, their new power, the psychological effect upon them of not being permitted to vote, their entering the field of business and finance, to reverse and repeal its former decision. The admonition of the Court was heeded. The appeal was made to Congress and the States. The 19th amendment to the Constitution was, by the prescribed, legal, constitutional method, submitted to the States. Forty-four years after *Minor* v. *Happersett*, female citizens legally and constitutionally secured the right to vote.

Jurists and lawyers of that day were taught:

"Legislatures may alter or change their laws, without injury, as they affect the future only, but where courts vacillate and overrule their own decisions on the construction of statutes affecting the title to real property, their decisions are retrospective and may affect titles purchased on the faith of their stability. Doubtful questions on subjects of this nature, when once decided, should be no longer considered doubtful, or subject to change. Parties should not be encouraged to speculate on a change of the law when the administrators of it are changed. Courts ought not to be compelled to bear the infliction of repeated arguments by obstinate litigants, challenging the justice of their well considered and solemn judgments."[4]

THE BROWN CASE—A SHOCKING REVERSAL

Should the law of the land there declared be different in a situation where the States of the South had spent literally billions of dollars upon the idea that the Constitution when amended in 1868 did not affect their rights to maintain separate but equal public schools?

Paraphrasing *Minor* v. *Happersett*, for nearly 90 years the people of the South had acted upon the idea, repeatedly and unanimously decided by the courts of the land, that the States had the right, in regulating their public schools, to separate the races therein.[5]

Is it any wonder, therefore, that the people of the South were shocked, that every student of constitutional law was shocked, when, on May 17, 1954, the Court announced "that in the field of public education the doctrine of 'separate but equal' has no place? Separate educational facilities are inherently unequal."

The Court ignored every rule of law when it made the quoted announcement which was the very opposite of the holdings on the very same question which has "been many times decided to be within the constitutional power of the State legislature to settle, without intervention of the Federal courts under the Federal Constitution."

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[1] *Pollock* v. *Farmers Loan & Trust Co.*, 157 U.S. 601.

[2] Cf. the Attorney General's Washington speech, proposition Second.

[3] *Minor* v. *Happersett* (21 Wall. 162, 177–8).

[4] *Minnesota Mining Co.* v. *National Mining Co.* 3 Wall. 332, 334).

[5] *Gong Lum* v. *Rice* (275 U.S. 78, 87).

[6] 275 U.S. 78, 86.

So spoke Chief Justice Taft for a unanimous Court in 1927.[6]

In support of that holding there were cited, not the opinions of psychologists, but of the courts of Massachusetts, Ohio, New York, California, Kansas, North Carolina, Indiana, Missouri, Arizona, and Nevada, as well as the opinions of three Federal courts.

In support of that holding there were cited, not the opinions of modern psychologists, but the adjudications of learned jurists made over a period extending from 1849 to 1900. The people of the South trusted their Government. It was on the faith of those solemn judicial constructions of the Constitution that the people of the South, emerging from the ravages of war and reconstruction, spent literally billions of the dollars of their tax revenues, garnered from the properties of their own citizens, for the operation and construction of their own schools.

Does anyone for a moment think that if the South had thought the 1927 opinion of Chief Justice Taft was subject to a reversal based on the opinions of psychologists it would have constructed this vast public school system?

In his Los Angeles speech the Attorney General said: "The ultimate issue becomes the role of law itself in our society; whether the law of the land is supreme or whether it may be evaded or defied."

Why did not the Department of Justice in 1952 and 1953 and 1954, when these school segregation cases were pending in the Supreme Court, say to the Court: "The law of the land is supreme. The ultimate issue is the role of law itself in our society. The law of the land as to the question now before you has in the language of a unanimous Court, 'been many times decided to be within the constitutional power of the State legislature to settle, without intervention of the Federal courts under the Federal Constitution.' "

Why did not the Department of Justice then say to the Court: The decision is within the discretion of the State in regulating its public schools, and does not conflict with the 14th amendment."

That was the supreme law of the land as declared for over a century before May 17, 1954.

Perhaps, if the Department of Justice had so advised the Court, the law of the land would not have been evaded or changed by the Court.

How can the Department of Justice now tell the South that it is evading or defying the law of the land when the South is trying only to have redeclared what has been the law of the land for over a century?

In his Los Angeles speech, the Attorney General says that the May 17, 1954, decision was foreshadowed by earlier holdings. If it was so foreshadowed, it is all the more a reason why the Department of Justice, really anxious to keep the supreme law of the land from being evaded and defied, should in 1952 and 1953 and 1954, have stepped in, and told the Court that the question under consideration had been decided, and that the decision had been established as the law of the land for over 90 years.

Such a statement might not have been politically expedient, but it would have been in accord with the Department's present sentiments as to what the South should do.

The Attorney General, in the foreshadowing phase of his speech, referred to the Court's opinion delivered through Chief Justice Hughes with reference to the Negro living in Missouri who sought admission to the Law School of the University of Missouri. The Attorney General said of this case that "The constitutional requirement of equal protection of the laws was not deemed satisfied by the State's offer to pay tuition at a school of comparable standing in a nearby State." The Attorney General did not mention the fact that in that case,[7] decided in 1938, the Supreme Court distinctly recognized the separate but equal doctrine as being a part of the law of the land.

Mr. Chief Justice Hughes there said "The State court has fully recognized the obligation of the State to provide Negroes with advantages for higher education substantially equal to the advantages afforded to white students. The State has sought to fulfill that obligation by furnishing equal facilities in separate schools, a method the validity of which has been sustained by our decisions." [8]

And further, said Chief Justice Hughes: "The State was bound to furnish him within its borders facilities for legal education substantially equal to those which the State there afforded for persons of the white race, whether or not other Negroes sought the same opportunity." [9]

All that the Court held there was that the separate but equal doctrine which it recognized as a part of the law of the land was not satisfied by Missouri's offer to pay the Negro's tuition at a law school of comparable standing in a nearby State.

There was nothing in that decision to foreshadow that the Court, differently constituted, would 16 years later say "that in the field of public education the doctrine of separate but equal has no place."

"SEPARATE BUT EQUAL" * * * THE LAW OF THE LAND IN 1938

The decision of 1938 recognized the separate but equal doctrine as a part of the law of the land.

The decision of 1954 nullified it.

In discussing the 1950 Texas law school case,[10] the Attorney General failed to state that there the Court refused to disturb the findings of the Court in *Plessy* v. *Ferguson*. What the Court did do was to recognize the "separate but equal" doctrine as generally stated and applied, but to hold that there could not be a separate but equal law school because of factors incapable of objective measurement which make for greatness in a law school.

At Los Angeles, the Attorney General said that since May 17, 1954, holdings of the Supreme Court and of the lower Federal courts emphasize that a State may not engage in other forms of segregation, for example in providing recreational facilities and in public transportation.

Revolutionary as it was, conflicting with the law of the land as it did, the scope of *Brown* v. *Topeka*, and its companion cases of May 17, 1954, was confined to public education.

In the cases decided on May 17, 1954, the plaintiffs contended only that segregated public schools are not "equal," and cannot be made equal. Argument was had at the 1952 term and the 1953 term. The Attorney General of the United States then in office participated both terms as amicus curiae. One wonders why the Attorney General, either as amicus curiae or magister curiae, did not inform the Court that the question raised by the plaintiffs had long since been settled by repeated decisions of State courts of last resort alluded to by Chief Justice Taft [11] in *Gong Lum* v. *Rice*, by the unanimous opinion of the Court in *Gong Lum* v. *Rice*, as well as by the Supreme Court in *Plessy* v. *Ferguson*,[12] and *Cummings* v. *Board of Education*.[13] One wonders why a Department of Justice which now insists that the decisions of May 17, 1954, are the law of the land, did not prior to May 17, 1954, insist with equal vigor that the century-old, unanimous holdings establishing the "separate but equal doctrine" constituted the law of the land. Why did the Department of Justice permit the Court to destroy this established "law of the land" without a murmur of protest?

The only question raised and decided on May 17, 1954, pertained to public education. When the Court on May 17, 1954, said that the separate but equal doctrine did not make its appearance in the Court until 1896 in the case of *Plessy* v. *Ferguson* involving "not education but transportation," and that "American courts had since labored with the doctrine for over half a century", why did not the Department of Justice, upholder as it is of the law of the land, advise the Court, teach the Court, that the separate but equal doctrine, involving not transportation but education, had made its appearance in and been established by the courts of Massachusetts, Ohio, Indiana, California and New York in an unbroken line of decisions beginning a half century prior to 1896. The Department of Justice should not, as an upholder and defender of the law of the land, have permitted Justice Frankfurter, Justice Burton, Justice Minton, Chief Justice Warren and Justice Jackson to remain in ignorance of what the courts of their home States had decided long before *Plessy* v. *Ferguson*.

Repeatedly in its opinion of May 17, 1954, did the Court use explicit language demonstrating that it was considering only "whether *Plessy* v. *Ferguson* should be held inapplicable to public education".[14] Distinctly did it "conclude that in the field of public education, the doctrine of 'separate but equal' has no place," and that "any language in *Plessy* v. *Ferguson* contrary to this finding is rejected".[15]

THE LAW OF THE LAND: AMENDED BY THE JUDICIARY

Insofar as the separate but equal doctrine applied to other forms of segregation, for example, in the providing of recreational facilities and in public transportation, the separate but equal doctrine indisputably undisturbed by the decisions of May 17, 1954, remained the law of the land. Nevertheless, the Department of Justice without an apparent murmur of protest has permitted the law of the land to be destroyed by the application of *Brown* v. *Topeka* to totally unrelated cases.[16] The first case to apply the doctrine of the school cases to any other form of segregation was one involving bathing beaches.[17] The city of Baltimore appealed. There was a motion to affirm made, and on November 7, 1955, per curiam the motion to affirm was granted, and the judgment affirmed. So, without opinion, with the stroke of a pen, was the law of the land as it had existed for over half a century judicially amended. Apparently, there was not even an argument of the grave questions before the Supreme Court on appeal. The strident voices of today as to the law of the land were strangely silent 3 years ago when this repeal by the judiciary was taking place. The Supreme Court has never seen fit to consider thoroughly and discuss thoroughly any of the lower court cases which have destroyed the law of the land by expanding the doctrine of the school segregation cases.[18]

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[7] *Missouri ex rel. Gains* v. *Canada*, 305 U.S. 337.

[8] Op. cit. p. 344.

[9] Op. cit. p. 351.

[10] *Sweatt* v. *Painter*, 339 U.S. 629.

[11] *State of Ohio ex rel. Garnes* v. *McCann*, 21 Ohio St. 198, 211; *Cory* v. *Carter*, 48 Ind. 327; *King* v. *Gallagher*, 93 N.Y. 438; *Ward* v. *Flood*, 48 Calif. 36, among others.

[12] 163 U.S. 537.

[13] 175 U.S. 528.

[14] 347 U.S. at p. 492.

[15] 347 U.S. at pp. 494–495 (see also 349 U.S. at p. 293).

[16] E.g., *Dawson* v. *Baltimore*, 220 F. 2d 386; 350 U.S. 377.

[17] Ibid.

[18] See 347 U.S. 974; 350 U.S. 879, 352 U.S. 903.

Why has the Supreme Court permitted its plain ruling in the school cases of 1954 to be distorted and extended beyond their original scope?

Is the established law of the land so to be destroyed in all fields of jurisprudence in the future?

Will the Department of Justice remain silent witness to such destruction and then lecture free citizens of the United States who complain of such judicial repeal?

Are not American lawyers interested in such questions of fundamental law quite aside from their views on segregation?

The Attorney General said, too, in Los Angeles: "The unanimous decision of the Court in the recent school cases thus represents the law of the land for today, tomorrow, and I am convinced, for the future, for all regions and for all people."

This theory was not true as to Texas voting laws. In 1935, the law of the land was so declared as to render these laws valid and constitutional.[19] Nine years later, that declaration was reversed without the change of a syllable having been made in the organic or statute law.[20] That theory was not true as to *Plessy* v. *Ferguson*. That theory was not true as to *Gong Lum* v. *Rice*. That theory was not true as to the restrictive covenant cases. That theory was not true as to any case if the members of the Supreme Court are free to cut the pattern of the established law of the land to fit the wishes of a majority or a vociferous, clamoring minority at any given time.

The Attorney General and all others who have treated the school segregation cases as establishing an immutable principle designated by a catch phrase as the "law of the land" have entirely overlooked or ignored the fact that these four State cases had, as their foundation, a finding as to the effect on colored children of their being separated from the white children. Any lawyer reading the opinion in those cases will find it perfectly clear that the basis of the ruling of the Supreme Court was the findings of fact made by the courts below in the Kansas[21] and Delaware[22] cases which were reviewed along with the South Carolina and Virginia cases. If that factual basis is eliminated, the so-called conclusion of law falls. What appears to be basic questions of constitutional law really are not. The legal questions there apparently decided were based on findings of fact of two of the cases which were assumed to apply in the other two cases.

A LEGAL ERROR THAT SHOULD BE CORRECTED

It may well be that in the future a trial judge in Georgia or in any other State of the Union may conclude from other testimony, additional testimony of real experts, testimony matured in the light of developments since May 17, 1954, more complete testimony, that in our Georgia society, or Texas society, or the society of any other State, State-imposed segregation in education does not, of itself, result in Negro children receiving educational opportunities which are substantially inferior to those available to white children similarly situated, or that if it does, that the psychological effect on white children of the enforced mixing and mingling overbears the effect of segregation on Negro children.

And the Attorney General overlooks the fact, when he says "the South must obey," that the 11th amendment to the Constitution of the United States is still a part of that Constitution, and that Federal court decrees cannot compel any State of the Union to operate a public school system. Federal courts may, under existing decisions, enjoin the operation of segregated schools; they cannot compel the operation of integrated schools.

Even the opinion of May 17, 1954, recognizes that the Court was dealing with systems of public schools which the State had undertaken to provide,[23] not which the State was compelled to provide.

Not yet has the time come when a Federal court decree can compel a State to provide a school, a college, a hospital, or any other institution which a State does not choose to provide.

The Attorney General said: "When a court has entered a decree, the State has a solemn duty not to impede its execution." Surely the Attorney General did not mean that if a court should enter a decree compelling a State to maintain an integrated school that the State had a solemn duty to maintain that integrated school.

If he meant that, he has overlooked the 11th amendment and an unbroken line of cases construing it and declaring the law of the land.[24]

If he did not mean that, what is it that the South must obey? Compliance with what law of the land is inevitable?

President Lincoln, in his first inaugural address, recognized that decisions of the Supreme Court were not the law of the land. Said he:

"At the same time, the candid citizen must confess that if the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court the instant they are made in ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal. Nor is there in this any assault upon the Court or the judges. It is a duty from which they may not shrink to decide cases properly brought before them, and it is no fault of theirs if others seek to turn their decisions to political purposes." [25]

They should not, however, decide cases not properly before them. When they do, it is their fault if others seek to turn such decisions to political purposes.

The Court simply had no constitutional power to declare as the law of the land its edict in the 1955 opinion in *Brown* v. *Board of Education of Topeka, Kansas:* These cases were decided on May 17, 1954. The opinions of that date, declaring the fundamental principle that racial discrimination in public education is unconstitutional, are incorporated herein by reference. All provisions of Federal, State or local law requiring or permitting such discrimination must yield to this principle." [26]

The cases before the Court from Kansas, Delaware, South Carolina, and Virginia[27] were decided May 17, 1954. Under the guise of considering "the manner in which relief is to be accorded," the Court sought to legislate with respect to all provisions of Federal, State or local law which might be deemed to permit racial discrimination in public education. The Court fell into the same error in which Chief Justice Taney had fallen a century before. It overlooked or ignored the fact that its constitutional power is confined to the adjudication of cases.[28]

The judicial power of the Federal courts does not extend to the giving of mere advisory opinions or determination of abstract propositions, but a justiciable controversy must exist.

Just 3 weeks before its 1955 opinion in the school segregation cases, Justice Frankfurter speaking for a majority of the Court had said that the Supreme Court does not sit to satisfy a scholarly interest in intellectually interesting and solid problems, nor for the benefit of particular litigants.[29]

In the 1954 litigation between citizens of Kansas, Delaware, South Carolina, and Virginia and the school authorities of those four States, the policy of the Government affecting 44 other States could not be irrevocably fixed by the Supreme Court.

When and if a case arises in Georgia, or any other State of the Union in 1959 or a subsequent year involving alleged discrimination in public education, the parties to that case have a right to introduce evidence pertinent to the legal issues in that case and have those issues decided on the basis of the record in that case. The trial court may or may not feel bound to follow the 1954 school segregation cases according to whether or not those cases lawfully control the issues then before the Court.

That the statement last made is a correct statement of the law of the land may be easily proved.

In 1940, one Smith sued Texas election officials because they had denied him the privilege of voting in a primary. The trial judge, Judge Kennerly, thought that a decision of the Supreme Court of the United States rendered a few years before[30] was controlling and dismissed the petition. The case was appealed to the Court of Appeals for the Fifth Circuit. The appellate court (Judges Sibley, Hutcheson and Holmes) said that the Texas statutes regulating primaries which were considered by the Supreme Court in the prior case were still in force, and that that decision controlled. There was an application for certiorari made and granted. The Supreme Court overruled its prior decision of 9 years before, and reversed the Texas Federal judge and the Court of Appeals of the Fifth Circuit.[31]

THE SCHOOL CASES * * * NOT THE LAW OF THE LAND

Brown v. *Board of Education of Topeka, Kans.*, and its three companion cases are no more the law of the land today with respect to public schools than *Grovey* v. *Townsend* was the law of the land in 1944 with respect to primary elections.

The States of the South in regulating their own public schools in 1959 need be controlled and compelled by *Brown* v. *Board of Education of Topeka*, decided in 1954, no more than the colored voters of Texas were controlled and compelled in 1940 by *Grovey* v. *Townsend* decided 5 years before.

The colored voters of Texas thought the Supreme Court of the United States was wrong when in 1935 the Court said they could not vote in white Democratic primaries in Texas. They persisted in the efforts to vote. The Supreme Court reversed its prior decision and granted them the right they sought.

The States of the South think the Supreme Court of the United States was wrong when, in 1954, the Court said they could not regulate their own public schools when, in 1954, the Court overturned century-old precedents. They are persisting in their efforts to regulate, and so save, their public school systems.

The States of the South defy no one.

The States of the South do insist that the school cases of 1954 are not the law of the land. The States of the South are seeking to have reestablished as the law of the land

[19] 295 U.S. 45.
[20] 321 U.S. 649.
[21] 347 U.S., p. 492, note 9; 347 U.S., p. 494.
[22] 347 U.S., p. 494, note 10.
[23] 347 U.S. 493.
[24] *Great Northern Life Ins. Co.* v. *Read*, 322 U.S. 47; *Ford Motor Co.* v. *Department of Treasury*, 323 U.S. 459.
[25] Annals of American Academy of Political and Social Science, vol. 185, p. 53.
[26] 349 U.S. at p. 298.
[27] 347 U.S. 483, 497.
[28] Constitution, art. III, sec. 2.
[29] *Rice* v. *Sioux City Memorial Park Cemetery*, 349 U.S. 70, 74.
[30] *Grovey* v. *Townsend*, 295 U.S. 45.
[31] *Smith* v. *Allwright*, 321 U.S. 649.

the declarations of it which had existed a hundred years before May 17, 1954.

We do not flout the decisions of the Supreme Court. Neither do we classify them as the law of the land.

We simply say that the findings and beliefs of the Court expressed in the school cases do not irrevocably fix the policy of the Government upon vital questions affecting the whole people.

Was the decision of the Supreme Court of the United States in *Paul* v. *Virginia* [32] flouted when Attorney General Biddle persuaded Mr. Justice Black and several associates to decide *United States* v. *Southeastern Underwriters Association*? [33]

Was the decision of the Supreme Court of the United States in *Hammer* v. *Dagenhart* [34] flouted when, 22 years later, the Court was induced through Attorney General Robert H. Jackson to overrule it? [35]

To cite any more of the myriads of such instances in the annals of American jurisprudence would be merely to labor to establish the obvious.

In a speech delivered in California during October 1958, Dean Erwin Griswold apparently tried to draw a line between firm but constructive comment on the one hand, and broadside attacks motivated primarily by dislike of results in particular cases.

While I heartily dislike the results of the school segregation cases, I have endeavored to draw the line suggested by Dean Griswold.

Incidentally, the case [36] which Dean Griswold was criticizing is just as much the law of the land as in *Brown* v. *Topeka*. It will be interesting to see what happens to the law of the land as declared in that case.

I have sought to demonstrate, using specifics instead of generalities, that not only are the school segregation cases not the law of the land, but that they are legally erroneous and that the errors with which they abound should have been detected and should now be corrected.

INAUGURAL ADDRESS BY HON. ERNEST VANDIVER, GOVERNOR OF GEORGIA—BUDGET MESSAGE

Mr. TALMADGE. Mr. President, on Tuesday, January 13, the State of Georgia inaugurated the Honorable Ernest Vandiver as its 73d Governor. The inaugural address which he delivered on that occasion and his combined address and budget message to the general assembly delivered on January 15 are masterful statements of the aspirations and determination of the people of Georgia, and I ask unanimous consent that the texts of both be printed in the body of the RECORD.

There being no objection, the address and budget message were ordered to be printed in the RECORD, as follows:

INAUGURAL ADDRESS OF GOV. ERNEST VANDIVER

Governor Griffin, Lieutenant Governor Byrd, Speaker Smith, members of the general assembly, State officials, distinguished guests, and my fellow Georgians, the oath, just administered to me, places the mantle of responsibility squarely upon my shoulders for the next 4 years. You may be assured that I shall not wear it lightly. I shall constantly bear in mind that you have bestowed upon me the highest honor which you can give to any citizen of this State.

It is with tremendous pride, that I reflect upon the fact that you gave me the greatest majority ever accorded a candidate for Governor in a contested election during this century. But, it is also in a spirit of deep humility, that I accept the fact that you have placed upon me a corresponding responsibility by supporting me in such large measure.

To the nearly one-half million citizens who expressed their confidence in me, I shall ever be grateful. By your overwhelming support you have thrown to me the torch of leadership, in this most critical period. That torch I consider to be the greatest challenge of my life. By the same token, I feel that every citizen of Georgia should accept this time in our history as a challenge to do his very best no matter what lies ahead.

At this very hour, we are assembled here to inaugurate an administration which can herald a dynamic new era in the government of this State.

The principles upon which I asked you to elevate me to the governorship and which will guide my administration are: (1) economy, (2) reform, (3) reorganization, (4) integrity, and, (5) preservation of our way of life.

These will stand as the very cornerstone of the Vandiver administration.

Together they represent a foundation upon which a great administration can be built.

It is a foundation around which people of all persuasions can rally.

Laying these stones, one by one, we can construct here a mighty fortress, from which we can defend ourselves against the dark abyss of doubt, uncertainty, and discord, and move forward into an era of peace, progress, and prosperity.

Let me assure you that my chief ambition is to serve as Governor of all the people. No special group will be shown any favoritism. All for one and one for all should be the slogan for our people to meet the tests that are to come in the parlous days of the future.

As this administration begins let me assure you that I harbor no malice toward anyone. We have no enemies to punish nor special friends to reward. Our goal is to give the people that kind of government in which they can place full confidence and reliance at all times.

On Thursday of this week, I will address the general assembly in joint session at 12 o'clock noon. I will, at that time, list in detail the legislative program of this administration, and I will make my recommendations for legislation to be enacted at this session. Today, I shall discuss with you the broad principles which will determine the future conduct of my administration.

ERA OF CRISIS

My friends, as we formulate our policies for tomorrow, we cannot overlook the powerful forces in constant movement throughout the world—freedom versus dictatorship. We cannot insulate ourselves from the effects of these ever-changing tides among men and nations.

While communistic, atheistic Russia makes dramatic and important scientific advances of immense military and long-range significance, we lag behind. It is the tragedy of the ages that our leaders in Washington waste their precious time punishing the South with a second Reconstruction.

As the 86th Congress of the United States begins its session there is a dangerous current of opposition to the South and southern affairs flowing through that body. We must steel ourselves to fight with all possible strength the many assaults that are certain to be waged against us.

We must unite in giving full backing to the courageous members of the Georgia delegation in the House and Senate. These leaders are ready to do battle to the limit to preserve our rights and they are entitled to the full support of our citizenship.

Today, Georgia faces an era of crisis that is without parallel.

The dangers that confront us come from within and from without the borders of our State.

From without, the States are being subjected to ever-increasing Federal pressures.

These pressures come in several forms. They are embodied in Federal deficit spending with resultant inflation, oppressive civil rights legislation, Federal court decrees attempting to wrest authority from State and local governments, the prospect of new Federal taxation, further usurpation of State and local tax sources, and in various other ways which cause all Americans grave concern.

With full knowledge of these things, and keeping them constantly in mind, we must lay our plans to maintain the sovereignty of the State of Georgia, and to prepare it to withstand the attacks of our enemies who are poised to strike us again and again.

The administration we are inaugurating today is sworn to uphold the fundamental principle that the true barriers protecting our liberties are the State governments.

Their powers and prerogatives must be preserved at all costs.

I will work along with Governors of sister States who are interested in joining on this common ground and working together to save our form of government and to maintain the previous rights and liberties it affords.

During the trying days, months, and years that lie ahead, I am comforted by the strong moral fiber of our people and in the sure knowledge that they possess an indomitable spirit.

I know that they have an inner strength which will help to chart our course through an uncertain future.

We stand ready always, you and I, to make any and every sacrifice that is necessary to preserve the honor and integrity of our great Commonwealth.

If any foreign power threatens the security of our beloved country, Georgians, as they have done in every crisis that has faced this Nation throughout its history, are ready to perform whatever tasks are necessary.

STATE FISCAL AFFAIRS

It is certain now, as never before, that our very survival as a sovereign State depends to a great extent upon whether we pursue wise and effective fiscal policies, and whether they are properly and soundly administered.

Particularly unfortunate is the fact that in a time of high taxes, in a time of high State income, in a time of lush authority spending and in a time when the State was flush with money that none of the surplus was laid aside as a measure of prudence and safety.

When the general assembly met last January, the surplus in the State Treasury stood at its peak—$35,183,150.02.

In the last few months, yes, in the last few days, this surplus has dwindled and dwindled until it is down to a bare minimum at the present time.

The State surplus is at the lowest it has been in 12 years, according to the State auditor.

The State's cash balance, according to published reports of an address made recently by the State treasurer, is lower than at any time since he took office 26 years ago.

Current State spending is at the rate of $340 million annually.

But income into the State treasury is far less than that.

The income of the State during the last fiscal year was only $318 million.

That means deficit spending in the amount of $22 million.

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[32] 3 Wallace 168 (1868).
[33] 322 U.S. 533.
[34] 247 U.S. 251.
[35] *United States* v. *Darby*, 312 U.S. 100.
[36] *Flora* v. *United States of America*, 78 S. Ct. 1079.

It is obvious, then, that the State cannot continue this rate of spending under the present revenue structure.

To meet this emergency, we have no choice other than to institute drastic economies.

The Vandiver administration will dedicate its every effort toward carrying essential State services forward, within the limitation of available revenues.

We will utilize what funds are available to accomplish the greatest good for the greatest number of our people.

Let me assure the old people of this State, our dependent children, our totally disabled, our blind, those receiving care and treatment at our State institutions, our schoolteachers and our educators, that their needs will always be uppermost in my mind.

The time is now at hand to practice old-fashioned economy.

REORGANIZATION

From this hour until my public service is concluded, it is my firm determination, to give to the people of this State, the maximum value in goods and services for every tax dollar spent.

Our goal—an honest dollar's value for a dollar honestly spent.

To accomplish it, a thorough reorganization of the State government is mandatory.

The incoming administration and the incoming general assembly have an overwhelming directive from the people to set the statehouse in order.

If any department head, or any agency chief in the State government, feels he cannot economize to obtain greater efficiency, then my suggestion to him is to stand aside and give someone else a chance to get the job done.

HONESTY IN GOVERNMENT

I am placing every official and employee on notice, here and now, that I am expecting them, in the Vandiver administration, to conduct themselves as public officials, and to conduct the people's business as the public business at all times.

I am proud and grateful that men of integrity, experience, and ability have consented to serve in posts of responsibility in my administration, and to help me in setting a standard of conduct, worthy of the trust and the confidence of the people of Georgia.

Every official act of the State government during my administration will be carried out openly and in full view of the people and of the press of this State.

Yes; only through a government that seeks the right, to the end that justice may be done, can our people long endure, or, effectively preserve the Georgia way of life.

The laws of Georgia are no respecter of persons.

They apply equally to the public official and to the private citizen.

They will be enforced equally and impartially, without fear or favor, during my administration.

The highest official can expect no sanctuary in the Governor's office if he flouts the law.

Let me assure you, that I will hold personally responsible the heads of the various departments and divisions appointed by me for the faithful discharge of their duties.

If any one of them violates his trust and responsibility to the people, I will remove him from office immediately.

It has been handed down in every constitution of the State of Georgia, yes, it has been written in the blood and sweat and tears of our fathers, that, and I quote:

"All government of right originates with the people, is founded on their will only, and is instituted solely for the good of the whole. Public officers are the trustees and servants of the people, and at all times amenable to them."

That is what the constitution of Georgia says.

I shall follow the constitution of Georgia.

It will be the policy of my administration, from its first day until its last.

RESTORE ASSEMBLY POWER

The Vandiver administration and the general assembly have some difficult problems to meet in the next 2-year period.

This general assembly and I will labor together in a great partnership for the benefit of all Georgians.

Let me assert my firm belief that the delicate system of checks and balances afforded under our form of government should be protected at all times.

Let me say further that no one branch of the State government should be allowed to subordinate any other branch.

During my service as Governor the constitutional powers and prerogatives of the people's elected representatives in the general assembly will be restored and will be respected.

While I would resist vigorously any movement or proposal to diminish the constitutional or statutory authority of the chief executive of the State, I assure you, the people of Georgia, that I will work in a spirit of harmony and accord and on equal terms with the legislative branch in all matters.

ECONOMIC GROWTH

Now, let us talk about our State's economic growth.

Today we are witnessing in Georgia a transition which will affect every man, woman, and child, in the immediate years to come.

One of the paramount problems confronting us at this time is caused by the loss of population and income in some areas of the State through no fault of their own. And on the other hand, we have rapidly growing populations in many areas.

We have come to a point in our economic development where it is absolutely necessary that we establish a closer balance between agriculture and industry.

We must work to make certain that there is a proper diffusion of industrial growth over the whole State, especially in the smaller counties and in the smaller cities.

There are communities in Georgia where the procurement of one new plant could make the difference between life and death to that community.

It is the duty of your State government to work on the closest terms with all State organizations and with all local groups in the task of bringing steady payrolls and new job opportunities to Georgia for Georgia people.

That, we will do.

Your State government intends to serve a useful purpose in coordinating these efforts.

Your State can and will help local governments directly toward furthering their interests.

It can and will help indirectly, by giving them the means and authority to help themselves.

There is much that needs to be done.

There is much that can and will be done.

It can and will be done by a high degree of continuous cooperation between a diligent, energetic State administration working at the State level and moving forward hand in hand with active, working officials at the local level.

COUNTY UNIT SYSTEM

Then there is another matter which concerns the vast majority of Georgians today. That is the preservation of the county unit system of primary elections.

For more than 40 years this system has served the people of Georgia well.

It stands as a mighty bastion for local self-determination.

The sovereignty of Georgia's 159 counties must be maintained.

Their strength and vigor must be preserved.

Every county must continue to have a representative voice in State government.

To guarantee that each county does retain a measure of self-determination, we must leave no stone unturned in the constant battle to maintain this meritorious system.

The people in every corner of this State can be assured that the full might of the State government will be utilized to oppose vigorously every effort to destroy it or to weaken the principle embodied in it.

SEGREGATION

Because of the limitations of time, it has been possible for me to discuss only my general beliefs and views relative to the operation of your State government. However, I would be remiss, if I did not emphasize the seriousness of the most overriding internal problem, ever to confront the people of Georgia and the South during our lifetime. Without doubt, the decisions that must be made are the most difficult that any Governor has faced in the past 100 years.

We know that a little band of willful men, sitting securely for life in the rarefied atmosphere of the Nation's highest judicial tribunal, have attempted through the ursurpation of power, not given to them by the Constitution of the United States, to mold the actions and thoughts, of not only the 40 million people who reside in the South, but of every citizen in every section of this Nation.

However, the straws in the winds now indicate a growing bitterness to judicial tyranny and an ever-expanding resistance to it on the part of people who live in every State.

There is no more righteous cause than the preservation of the Constitution of the United States as originally written—this Constitution that has made us the greatest Nation on the face of the earth.

Throughout the course of recorded history, whenever great struggles loomed on the horizon, there have been those who would throw up their hands and cry "Surrender" even before the enemy arrived on the scene.

In the last few weeks and months we have seen this happen in our own Georgia, a State that has proudly borne the reputation throughout the length and breadth of this Nation, of being the veritable stronghold of constitutional government.

Fortunately, throughout this great Commonwealth of Georgia, these advocates of surrender have been few and far between. However, they have by their concerted efforts and misleading oratory, deceived a few citizens into believing that the battle is over, and that we stand amidst the ruins of defeat.

These fermenters of division and discord know that what they propose is neither intellectually honest nor fundamentally sound.

They speak of "token integration."

There is no such thing as "token integration."

They know, or should know, that the few raindrops of "token integration" would become a downpour, a deluge, and then a flood which would engulf our people.

The tragedy of this whole situation is that the great rank and file of both races are fully aware of the fact that separate schools are best for all.

They know the harmful results that would come from any other course.

A thoughtful person has but to look at other cities in America—not in the South—to visualize the consequences of what would happen here.

I have been into almost every militia district of this State—I know the thinking of the people in the four corners of the State—there is a virtually unanimous opinion among

the people of Georgia that the constitution and laws of Georgia must be upheld to the letter, and that in so doing we are acting in accordance with the Constitution of the United States as it was written and adopted, not as it has been distorted and twisted by the political judges of the U.S. Supreme Court.

We have only just begun to fight.

The people of Georgia and their new Governor say to the U.S. Supreme Court, that we will fight this tyranny at every crossroads; we will fight it wherever it raises its ugly head, in these very streets, in every city, in every town, and in every hamlet, until sanity is restored in the land.

As the immortal Thomas Jefferson wrote shortly before he assumed the Presidency,

"I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man."

That oath includes judicial tyranny.

It is an oath to which you and I of this generation proudly subscribe today.

If we are left alone, free from outside dictation and interference, we can, within the framework of our traditional pattern of life, work out all of our needs and problems to the benefit of every citizen.

Now is the time for Georgia people in positions of leadership and responsibility all over the State, to take hold and to declare steadfastly, that we are not going to permit disruptive influences to wipe out the gains in all fields which we are making in our State.

Of one thing I am certain, Georgians are determined to stand by their rights and traditions, whatever the cost.

WE LOOK AHEAD

As we look to the future, we do so with that same high confidence and resolve that have marked Georgia people throughout her history. We do so in a spirit of love and respect, and with that quiet, warm, comforting inner feeling that comes from the sure knowledge that our people, and our grassroots leadership, from the mountains to the sea, can be depended upon to do the right thing at the right time.

It is with prayer to Almighty God, and it is with a deep sense of personal humility, that I approach the solemn duties of our State's highest office.

As your new chief executive, I ask every one of you—the people of this Empire State—to give me that constant and continuing support needed to safely see us through the trying times which loom ahead.

Let us be of stout heart and resolute spirit, let us bind ourselves together in this, a common cause and by our solid front and united efforts we will, under God, build a glorious and lasting Commonwealth for our children and for the children of future generations.

COMBINED ADDRESS AND BUDGET MESSAGE OF GOVERNOR ERNEST VANDIVER TO THE GENERAL ASSEMBLY OF GEORGIA ASSEMBLED IN JOINT SESSION IN THE HOUSE OF REPRESENTATIVES CHAMBER OF THE STATE CAPITOL IN ATLANTA

Lieutenant Governor Byrd, Speaker Smith, members of the house and of the senate, State officials, distinguished guests, my fellow Georgians and friends, my first words to you are that your chief executive has no intention of turning Georgia schools and colleges over to the Federal Government for any purpose, anywhere, at any time during the next 4 years.

We assemble here with fresh minds, with deeply imbued intentions to work with all our will for those causes we feel will benefit our citizens and to unite, as never before, in battling for the preservation of the rights and traditions which have been handed down to us from the very foundation of our Commonwealth.

Let me assure you that I am here with the intention of devoting my time to hard work and I am sure you are as eager and ready to work as hard to solve the manifold problems that confront us today.

Permit me at the outset to express my deep confidence in the ability and the integrity of the members of the two branches of the legislative division of the State government.

With many of you, in both houses, I have had the pleasure of working to meet grave governmental problems in the past. It is comforting to me to realize that I have such a group of high-minded, able and patriotic representatives of the people with whom to work in the important days of the immediate future.

The majority vote of the people of Georgia which sent us here is the supreme law of the land and all of us are eager and willing to conform to the mandates of that law.

We who have asked the electorate for responsibility assume it with full vigor and determination.

It will require application and sacrifice.

But, I am sure that you and I both are willing to give it, realizing the need our State has for both productive and constructive leadership at this present time.

I reiterate what I said day before yesterday in my inaugural address. That is, this administration will, in pursuing its objectives, take the members of the legislature into its confidence as full working partners.

My recommendations to you today will be designed to strengthen your hand in carrying out your constitutionally prescribed legislative duties and casting every senator and representative of the people in a role for more effective service.

Let me say at the outset today that many of the problems which will come before me as your Governor and before you as legislators will not be easy of solution. The complex era in which we live and the rapid growth of the State government in the last two decades makes it so.

I assure you, here and now, speaking for myself and for other officials in the administration, that during the coming 4 years, we will follow the rules of conduct which you lay down to guide us in day-by-day service to the taxpayers.

THE PROBLEM

There are two great, outstanding problems which confront us at this time.

One of them is an internal problem—caused by the fact that the fiscal condition of the State government borders on bankruptcy.

The other problem is external—brought on by the fact that the Federal Government is following a course of ever-increasing encroachment upon the rights and powers of the States.

Concerning the internal problem, we now reap the whirlwind from a policy of living it up today without thought of tomorrow.

An indifferent, irresponsible and profligate spending policy, marred further by instance after instance of corruption, exhausting the surplus, leaving no margin of safety, brings us squarely to the day of reckoning.

Let me say that I have no criticism to offer, only a recitation of the facts as they exist.

My responsibility pertains to the future conduct of the State government.

That responsibility I solemnly assume to do the best that I can in view of conditions that exist.

I must have your help. I must have your confidence. I must have your support. I must have your cooperation.

THE SOLUTION

The solution to our dilemma lies in economy—sound economy practices executed with impartiality and fearlessness.

Honesty in government: That is the fundamental requirement for the pillars of no institution no matter how sacred can long stand unless it exists.

Reorganization: That, too, is necessary to get away from the morass of bureaucracy in which it is difficult and sometimes impossible to fix responsibility and to carry out properly the functions assigned by the general assembly to the executive.

And, most important of all—maintenance of our way of life—a way of life which means constitutional government and all that it implies; the right of the people of the several States to life, liberty, and the pursuit of happiness; the right to be secure in our homes, our jobs and in our daily lives free from outside dictation and interference; the right to worship God as we see fit; the right to choose our own associates; the right to rear our children in a wholesome environment; the blood-won right to local self-determination; yes, those are the rights that go together to form the sacred American heritage.

As we approach the fulfillment of our duties in this new administration, we do so in the complete realization that our responsibilities are grave, the task ahead is hard, the work long, tedious and difficult. But, at all costs, we must be on with it, for riding with us is Georgia's destiny, the destiny of our common country.

As loyal Americans, as true Georgians, we will not fail them nor will we flag in our duty when so much is expected of us.

BUDGET REDUCTION

Prudence demands that our first undertaking be to rehabilitate the fiscal position of our State.

The present quarterly budgets were approved by the outgoing chief executive.

The first quarterly budget that I will have an opportunity to sign as your Governor has been reduced by me.

On the day before yesterday, shortly after taking the oath of office as Governor, I issued an executive order, effective April 1, reducing all budgets of the State by 10 percent across-the-board, except those essential functions of education, highways, welfare, institutions, health and a few of the smaller agencies where the appropriations have not been overly-extended in the past few years.

In addition, I have ordered all department and agency heads to submit to me by April 15 their proposed budgets for the ensuing fiscal year so that each item therein must be justified before approval.

This is only the beginning of a program of retrenchment which will be carried out with vigor and without relent. Other reductions will be made from time to time.

It is my belief that this course will allow an orderly elimination of unnecessary expense, will permit needed streamlining and will allow intelligent and unimpeded studies to be made so that a thoroughness can be achieved in reorganization and economy which would not otherwise be possible.

CONDITION OF THE STATE

The budget reduction already made and those impending are occasioned by the precarious financial condition of the State.

We have no choice.

We have seen the State government grow fat and top-heavy with waste and lost motion.

We have seen the State payrolls padded with useless employees many of whom are not qualified for the jobs they hold and others who have done no work for their pay.

We have seen State officials and employees collect money due the State and fail to turn it into the treasury.

We have seen authority debt climb to the astronomical total of $312,406,000, requiring $29,055,108.09 annually each year out of the State's operating budget to pay back principal and interest on the amounts borrowed.

We have seen this method of financing, which served a good purpose when used to build schools and other permanent institutions, diverted to finance projects of short-term life which will either be long since worn out or will require heavy maintenance before the bills are paid.

We have seen roads built on borrowed money at two or three times the cost, and only a little quicker, than they could have been constructed on a pay-as-you-go basis.

We have seen State materials appropriated to private use.

We have seen highway personnel certify thousands of dollars of work done which had not, in fact, been done.

We have seen expensive heavy equipment belonging to the State mysteriously disappear and turn up in the strangest places.

We have seen the purchasing laws flouted which has made the State pay higher than retail prices for some of its purchases and the passing off of shoddy materials and unneeded merchandise on the State.

We have seen public money, public equipment and public personnel used to do work on private property.

We have seen the unbelievable spectacle of some public officials collecting money on the side into a private fund from persons or businesses over which these officials exercised life or death regulatory control for the brazenly announced purpose of doing their duty in one instance and refraining from doing their duty in the other.

We have seen an unfortunate disposition on the part of some high State officials to do business with themselves in an individual or corporate capacity.

We have seen the advent of the so-called shade tree commission agents or ten percenters with whom it has been necessary to make a side arrangement before being able to sell to the State.

Almost daily, we have seen other arrogant abuses of the public trust.

Wasteful spending and corrupt practices feed upon each other.

It is no wonder, then, that the State is on the verge of bankruptcy and the surplus dissipated.

It is no wonder then that we find the State engaging in deficit spending to the extent of $22 million annually at the present time.

SURPLUS DISSIPATED

At the beginning of the last fiscal year, the surplus account in the State treasury stood at $35,183,150.12.

Today, that surplus stands at a bare $2,608,255.08 only enough to operate the government for about 3 days.

That is the lowest the State surplus has been in 12 years.

The State's cash balance, according to a recent speech of the State treasurer, is at the lowest it has been since he took office 26 years ago.

The $35-million surplus has been spent without effective legislative direction and without any effort being made to economize in State operations.

Notwithstanding the fact that during the last 4 years additional taxes have been collected out of the taxpayers of Georgia exceeding $200 million; notwithstanding the fact that in addition to this over $150 million in new debt has been placed on the people; notwithstanding the fact that more taxes have been collected than ever before, not being satisfied with all this new and additional money to spend, the meager surplus which took 7 years to accumulate was spent in the short space of a few months.

We find that State income at the beginning of this fiscal year is at the rate of $318 million annually.

Yet, we find State spending at the change of administrations to be at the rate of $340 million annually.

It is obvious that we cannot continue deficit spending.

My friends, considering the situation we have inherited, that was none of our making, unless we hold outgo to income and unless we lay aside a reasonable amount for the surplus fund to meet essential and emergency needs, we hasten the State's present headlong rush toward complete insolvency and total bankruptcy or a massive tax increase.

Neither of these alternatives holds any attractiveness for me and I am sure that you and the people share my view.

It is now squarely up to the General Assembly of Georgia and this administration to practice every economy possible in the operation of the State government.

That course offers the only satisfactory solution to the financial crisis now confronting the State.

Georgians expect us, you and I, to make every sincere effort to achieve genuine economy and meaningful reorganization and streamlining of State governmental functions.

CONTINUING RESPONSIBILITY

Now, permit me to discuss with you the harmful results which come from the utilization of State surplus funds for so-called "recurring items" in the budget which must continue to be paid year after year and for the so-called "nonrecurring items" either which will require huge sums to complete or which will require large appropriations to operate in future years.

Let me remind you that the $35 million surplus has been spent largely on items that henceforth will be a more or less continuing responsibility in the budget.

This was done in full knowledge of the fact that no funds would be available to pay the bills and that revenues had not been provided to put these programs on a sound basis for future operation.

For an example of what I mean, look at the $8 million item which must come out of the highway department appropriation each year for 16 years to finance the debt of the State rural roads authority.

This creates a critical condition in that department.

Money must be taken away from 100 percent State-aid construction to finance the authority debt. We have no alternative. This is translated throughout the entire government.

I could cite you numerous other examples of expenditures made which will be costly, indeed, in the years to come. The question that presents itself is this—has not our State, under its present revenue structure, spread itself and its programs far enough?

Is it wise to spend what income we have for this, that and the other, benefitting only a few, taking available funds away from long-established functions, such as education, highways, welfare, health, institutions, and so on, thereby affecting adversely thousands and thousands of our people?

I say not.

The place where we have got to spend State income in the coming 4 years is where it will do the most good for the most people.

The empire builders, the dreamers, the wasters, the log-rollers, and the treasury raiders have had their day.

RESTORE ASSEMBLY AUTHORITY

It is time to restore control over the purse of the government of the State of Georgia to the people and to their elected representatives in the general assembly.

We have had only one appropriation bill enacted in the last 8 years.

And, the general assembly had little say-so in formulating the act under which we are now operating.

Regrettably, complications brought on by the so-called highway allocation amendment have rendered it impossible to consider a new appropriations bill because of the substantial amount of money which would have to be taken away from education and transferred to highways to meet the terms of the constitutional provision.

It is my suggestion that this general assembly give careful study to the possibility of revision or repeal of the allocation provision, removing the impediment to future budget bills, and that the corrective proposal be presented to the people for their ratification or rejection in the general election next year.

In any event, it will not be possible, because of the allocation provision, for me to present an appropriations bill to you until after the general election at the January 1961, session.

KEEP PRESENT APPROPRIATIONS ACT

Because of the present muddle in State finances and because of the reorganization period through which we must go in the next 2 years, I request that the present appropriations act remain as it now stands, without any amendment, in order that we make such reductions in spending as are required from time to time by careful study and the force of necessity.

ACTIVATE FINANCE COMMISSION

Let me say now that in the conduct of my administration the finance commission, composed of representatives and senators from the legislative branch will be activated and consulted frequently by me not only to advise and counsel with the Governor relative to the preparation of the budget and appropriations bill for submission to the general assembly but also in regard to crucial finance policies where the utmost cooperation is essential between the Governor and the members of the legislature.

In the interest of gathering accurate information and factual data relative to State expenditures, requiring careful investigation and time-consuming studies, to be made available to the budget authorities, to the finance commission and others concerned, it is my intention to create within the Governor's Office, itself, a division on departmental operations. It will be a factfinding agency only, not encroaching on the prerogatives of any official or legislator. It will be headed by a competent person as director fully familiar with budget and fiscal affairs, who shall be vested with authority to make a constant examination of all budget requests.

It will be necessary for us to institute every economy possible in the next few months in an effort to rebuild the surplus by fiscal year's end in order to take care of the barest needs for operations in the education department—to project the minimum foundation program; in the highway department—to match Federal funds under the interstate program and to provide for now neglected maintenance; and, in the welfare department—to take care of normal increases in the number of needy persons entitled to assistance.

The extra money that will be required to do these things in the coming fiscal year, over and above the present normal operating budget, is estimated to be as follows:

Education, $11 million, of which the $8 million additional would be for operations of the common schools; $2 million would be for the university system and $750,000 for additional State contributions to the teacher retirement system fund.

These are the amounts that will be required to project present programs in education. It is my hope, however, that, with practicing some economies, the department of education and the university system may be able to satisfy their minimum needs with amounts somewhat lesser than those I have stated.

Highways—$10 million: We have two pressing situations in the highway department. One is occasioned by the increasing amounts of money being required for debt retirement and for Federal fund matching out of the present operating allotment, thus reducing

by an equal amount the money available for 100 percent State-aid construction.

The other, and perhaps the most pressing situation, is the fact that maintenance on all of our highways has been neglected as long as we can do so. That condition, at the minimum, will require additional millions.

In any event, by practicing rigid economies, throughout the entire organizational structure of the highway department, we should be able to use that money where it will do the most good for construction and maintenance purposes. But, nonetheless, we will need additional millions in the highway department just to take care of increased maintenance needs and such 100 percent State aid construction as must be done on an emergency basis which cannot be deferred.

Welfare—$1 million: That amount will be required over the present normal operating budget in order to take care of additional persons becoming eligible for public welfare assistance under existing programs in that department.

Only through stringent management do we have any hope whatever of meeting these requirements in the ensuing 1959–60 fiscal year.

I will need your help not only when you are in session but throughout the year in assisting me to help relieve the pressures for other less essential expenditures.

Your understanding and patience will be necessary when I must say "No" to you and our people on occasion.

I have gone into detail relative to State finances to give you the why's and wherefore's in order that you and the people of Georgia might know that we are now having to pay the piper for waste, extravagance, indifference, irresponsibility and corruption.

"WATCHDOG COMMITTEE" REPORT

Realizing the condition of the State Government, the Georgia State Senate, at last year's session created the Senate Committee on Government Operations, better known as the watchdog committee.

Its assigned mission was "* * * to study * * * the State government with a view toward: (1) Practicing every economy possible; (2) financing essential services as far as posisble within State income; and, (3) whether reorganization would result in more efficient services and savings to the taxpayers of Georgia."

Despite an open hostility on the part of the preceding administration to the committee and despite a denial of funds for its initial operations, it has carried on its work and has filed its report.

I compliment, as highly as I know how, the members of this committee for their determination to do as thorough a job for the people as possible under adverse circumstances. And for the fact that they were willing to do so at their own expense, if necessary.

I commend this report to you for your careful study and consideration.

The recommendations made form a valuable guidepost for obtaining better government in Georgia.

They embrace both proposals for legislative action and administrative improvement. The latter are being carried out as rapidly as feasible and possible.

To carry forward and complete the work started by the interim Senate Committee on Government Operations, the administration will sponsor at this session the creation of a joint "Governor's Committee on Economy and Reorganization." It is my request that it be vested with full powers and provided with funds to hire the help needed to effect a complete program of both administrative and structural reorganization.

I assure you the committee will have the backing, support, and cooperation of the Governor's office and every department and agency in its work.

REORGANIZATION

The present structure of the State government has been pyramided, one function on top of the other, over a period of many years. Time and careful study, as well as capable, informed assistance, will be necessary to correct its deficiencies.

And, let me say this, in any economy and consolidation program as much depends upon proper, aggressive, thorough administrative action as depends upon corrective legislative action.

It is my desire to bring these two great forces together—the legislative and the executive—as a working team to place Georgia's government on a sound, business footing.

The administration will make a substantial beginning at this session by offering bills to do just that.

Proposed legislation will be presented to abolish outright 11 boards, bureaus, commissions, etc., and to eliminate 14 more by consolidations. Four others will be abolished by executive order.

HONESTY IN GOVERNMENT

At the same time, the administration will support a 25-part honesty in government package bill in line with my campaign pledges made to the people last summer. This bill will define explicitly crimes against the State by persons selling to the State or holding positions of trust in the State government.

The purpose of this legislation is to prevent any recurrences of happenings we have witnessed in recent months where State officials and employees have engaged in various practices inimical to the State's interests seemingly with complete impunity.

Permit me to suggest that any crippling amendments that might be offered to weaken this bill be vigorously resisted for we must arm our prosecuting officials with laws with teeth in them.

Let us do so, that never again, can any State official or employee arrogantly hold himself above the law and proclaim to the world that he does not care one whit for what the people think and that the accepted standard of ethics and morals observed by every citizen in the conduct of their affairs does not apply to him.

I call upon you to help me end that sort of thing once and for all in Georgia.

OTHER RECOMMENDATIONS

Other suggestions for legislative enactment to be made by the Vandiver administration relating to administrative operation, which I ask that you push to speedy enactment, are included in the following bills:

Elimination of the loopholes in the laws governing purchasing procedures.

Installation of adequate legislative safeguards surrounding acquisition of property by the State.

Calling a halt to authority financing at present levels unless specifically authorized by the general assembly.

Abolishing the ill-fated and battle-scarred Georgia Commission on Education and creating a more effective commission on constitutional government to cooperate with similar such official committees in other States.

Changing the name of the Georgia Agriculture Development Authority, amending its powers generally to state the legislative intention to broaden its operating base to include industrial development, as well as agricultural development.

Now, I have outlined to you the administration's legislative program and have detailed to you the condition of the State government, particularly as it relates to the perilous financial condition of the treasury.

I do not need to tell you that just pulling ourselves out of the difficulties we are in will require time, patience, and application on our part.

The welfare of nearly 4 million people is at stake.

Not only are we confronted with these many internal problems but we, like all the States, are menaced by ever-growing efforts of the Federal Government to strip State and local governments of their reserved powers and responsibilities and concentrate them all in one vast, sprawling, complex, tyrannical bureaucracy in Washington.

It is a continuation of an age-old struggle—man's fight to govern himself in a manner consistent with his needs, his heritage, his desires and his environment.

The administration beginning today will carry on this fight intelligently and with every resource available to us.

We say to our local officials all over Georgia that the Vandiver administration is 100 percent behind you in the proper performance of your duties and that we will stand with you to a man against oppression and intimidation from any quarter.

To make certain the governor's authority to come to the aid of our officials, a bill will be offered to you for your consideration giving your chief executive the power to expend State funds in retaining counsel and in providing other help where needed.

COUNTY UNIT SYSTEM

Continuing on the theme of local, self-determination, permit me to say that this administration will utilize its every resource to maintain inviolate and unchanged the county unit system principle of statewide primary elections in Georgia.

We want the voters of Iron City, Red Clay, Fargo, Mountain View, Jones Settlement, Avant's Sidetrack and all those other communities, cities and counties throughout this great State to continue to have an effective voice in the State government.

MAINTAIN GEORGIA WAY OF LIFE

During the past few months I have worked closely with a distinguished committee select by me, composed of several of the best legal minds in this State in the field of constitutional law. We have studied ways and means of preserving the right of the people of this State to govern their own internal affairs in accordance with our social customs and the Georgia way of life.

Based upon this study, the Vandiver administration will sponsor in the general assembly several bills designed to strengthen our position in the fight to preserve segregated schools in Georgia.

I strongly recommend and urge to the general assembly that these segregation measures be enacted into law, so that our way of life may be preserved in Georgia.

These measures are:

1. A bill to authorize the Governor, as conservator of the peace, of the State to close a single public school within a system should it be ordered integrated, and, to close the school from which the pupil ordered integrated came or might normally could have attended. This is in addition to the power already possessed by the Governor to close an entire affected system.

2. A bill to prohibit any political subdivision of the State having an independent school system from levying ad valorem taxation for the support of mixed schools.

3. A bill to permit the Governor to designate legal counsel in school cases and to pay fees and expenses of counsel and court costs.

4. A bill to set age limits on enrollees in the university system, except where special dispensation is made.

5. A bill authorizing the Governor as conservator of the peace, to close any unit in the university system of Georgia when he deems it necessary to preserve and keep the

peace, dignity and good order of the State; and,

6. A bill which would facilitate the establishment of bona fide private schools by allowing taxpayers credits upon their State income tax returns for contributions to such institutions which are organized and operated exclusively for educational purposes after such institutions have been certified in accordance with law.

Yes, these are the Vandiver segregation bills, designed to maintain the peace and harmony of the State and to protect the children of Georgia as they gather about the firesides of their parents.

As you and I begin our work in earnest, we do so with the immortal words of Tennyson ringing in our ears;

"To strive, to seek, to find, and not to yield."

To strive, to do our best in everything we do;

To seek, economy and efficiency in day-by-day operations;

To find, a means of providing better government for Georgia;

And not to yield, in upholding our sacred institutions and traditions.

With unbounding confidence in our people, in the sure knowledge that our cause is right and that in the final outcome we will emerge victorious, with the help of Divine Providence, we move forward together in mutual trust, determination and in good spirit.

DESIGNATION OF NEW CHAIRMEN OF COMMITTEES ON FOREIGN RELATIONS AND BANKING AND CURRENCY

Mr. PROXMIRE. Mr. President, later today or tomorrow, an order will be entered which will automatically pass this body, designating new chairmen of the Foreign Relations Committee and the Banking and Currency Committee.

Mr. President, I object to this order. I object because its passage will mean that the chairmen of 10 of the 15 major standing committees of the Senate will be from the 11 States of the Old South.

I make this objection without any derogation of the excellent character and the obvious competence of the Senators who will assume these chairmanships.

Under the entrenched Senate custom of seniority these Senators are automatically entitled to their chairmanships. Of course, I have no illusion that this protest will be effective.

I speak out, Mr. President, because I think it is time that this body took a clear, open-eyed, public look at the consequences of following seniority on committee chairmanships.

Mr. President, this body has modified the seniority custom in election of Senators to the various committees of this body. It did so just last month. It can and should do so on committee chairmanships.

There is probably no power possessed by this body greater than which appertains to a committee chairmanship. It is no passing accident that two-thirds of the major chairmanships are held by Senators from the South. So long as this body follows the seniority system without compromise or modification, this degree of southern domination of the Senate of the United States is an inevitable and certain consequence of Democratic Senate control. For reasons every informed American fully understands, southern Senators remain in office far longer than their northern colleagues. This has been true as a matter of historical fact. It is sure to be true for the foreseeable future. This means simply and obviously that an unqualified, unmodified system of seniority for selecting committee chairmen guarantees the South a sure and certain degree of dominance in this body whenever the Democratic Party wins Senatorial elections.

Mr. President, any custom that guaranteed the Northeast or the Far West, or the Midwest or any other section of this country, this kind of privileged power would be equally wrong. This is why I suggest for the consideration of this body the thoughts that the seniority system as it applies to committee chairmanships be modified so that no more than half of the 15 major standing committees have chairmen from the same section of the country.

PROTECTING METROPOLITAN WATER QUALITY

Mr. CHAVEZ. Mr. President, the distinguished senior Senator from West Virginia [Mr. RANDOLPH], is a member of the Subcommittee on Rivers, Harbors, and Flood Control of the Committee on Public Works. That committee also handles proposed legislation with respect to water pollution on rivers and elsewhere. The Senator from West Virginia is very much interested in this matter.

On January 29 he made an address before the winter meeting of the Interstate Commission on the Potomac River Basin, at the Hotel Washington, Washington, D.C. Because all of us have read in recent times how badly the Potomac is polluted, I ask unanimous consent that this very interesting address be printed in the body of the RECORD.

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

PROTECTING METROPOLITAN WATER QUALITY

Mr. Toastmaster, members of the Interstate Commission on the Potomac River Basin, and distinguished guests, it gives me genuine pleasure to be able to participate in your program and to see the growing regard for and attention being given to solving the problems of metropolitan water control.

The source of the Potomac River is in West Virginia—in that mountain area in a State which has been called the Father of Rivers. I trust that you will not feel that a West Virginian is again speaking too enthusiastically about the hills of home.

I am reminded of the day almost 22 years ago, as the Representative from the Second District of West Virginia when I first addressed this question before what was then the Potomac Valley Joint Conference on River Pollution. It was out of this conference that the compact of your present commission was developed. As a member and chairman of the House Committee on the District of Columbia during the 14 years of my service in that body, I had the privilege of being one of the originators of the compact.

At that time, Congress and the people of the Nation as a whole were just beginning to awaken to the growing need for pollution abatement planning for our streams and rivers. We had finally begun to realize that our water resources—just as our resources of forest and land—must be conserved and treasured if we are not to make of nature's bounty a human wasteland.

Considerable progress has been made in this field during the past 2 decades or more; and in the Potomac River Basin much of the credit for this progress belongs to the Interstate Commission. With a small staff and limited financial resources, the Commission has shown what can be achieved through cooperative effort and a well-organized educational and publicity program.

Yet, much remains to be done. With the growing population pressure and industrial development within the basin, and with the increasing needs of the metropolitan area of Washington, we find ourselves on the sort of treadmill where we must run merely to remain in the same place.

For example, in 1937 the Potomac Basin area of approximately 14,000 square miles held a population of 1½ million people; today, the population of the basin area is slightly more than 3 million, while the problems of industrial and urban waste have correspondingly increased.

During the same period, the population of Metropolitan Washington has also more than doubled. According to a recent statement of Mr. Murray Stein, of the U.S. Public Health Service, from 1944 to 1952 the population of the area increased 44 percent and Potomac pollution increased 45 percent. From 1952 to 1956, the population rose 9 percent and the pollution gained only 1 percent.

Thus, although the rate of pollution increase has lessened, the absolute amount of pollution continues to grow—and this in spite of the installation, in recent years, of sewage treatment plants by the city of Alexandria and by Arlington and Fairfax Counties. Nor do these figures tell the whole story; a degree of pollution which may be tolerable for a given population becomes intolerable as the population increases—especially during dry months when the river is down and domestic consumption is up.

For too long now, the residents of Washington, visitors from other States, as well as our friends from afar, have been subjected in dry, summer weather to the stench of the noxious wastes of the Potomac—and this in the heart of the Capital of the most prosperous Nation in the world.

Although much progress has been made, especially in the last 10 years—as Dr. Abel Wolman has pointed out in his most recent study of the water resources problem of the Potomac River Basin—industrial and urban expansion of the basin, and the public demand for a healthier environment, present us with a continuing challenge.

Dr. Wolman further states that one of the most serious pollution problems stems from the acid mine drainage in the coal fields areas of the upper Potomac. As a Senator from West Virginia, I am, of course, acutely aware of this problem and of its chief cause—that is, the problem of a sick and depressed industry which cannot afford to develop adequate facilities to control the drainage. This condition of the coal industry is due to the variety of such sources as the development of the new sources of power and automation within the industry itself. I offer this particular reference to illustrate the complexity of the web of relationships—physical, geographical, human, and economic—which enter into the problem that confronts us.

The most serious pollution problem, however, and one which indicates the need for expanding the Commission's responsibilities, is that of soil erosion and siltation. Although no actual measurements have been made, informed estimates place the annual amount of silt carried by the Potomac at 40 million cubic feet. Forty million cubic feet of earth—from the farms and forest lands of

the basin—flow annually beneath the 14th Street Bridge—despoiling the banks, smothering the bottom life, and presenting a continual eyesore in the Nation's Capital; * * * not to mention the irrevocable loss this represents to the once rich lands of the basin. This presents a problem which reaches beyond the narrow limits of pollution abatement, as a restrictive practice, into the fields of forest management, farming practices, urban and suburban housing developments, and highway construction.

Finally, we must soon face the necessity of regulating the flow of the Potomac itself. As mentioned earlier, the population of metropolitan Washington has doubled in the past 20 years.

It is estimated that, by 1980, our population will have reached 3½ million—by 2000 A.D., 4.8 million—with a critical summertime consumption in the area of 700 million gallons per day in 1980 and 1 billion gallons per day in 2000 A.D.

With a minimum flow of the river at Great Falls of 500 million gallons per day, one need not be a mathematical wizard to see the implication: * * * During a severe drought all the water in the river would need to be diverted to the city, and this could happen within the next 10 years.

This is a problem, incidentally, confronting not only the Washington area but others as well. As was pointed out recently by Representative JOHN BLATNIK, chairman of the House Public Works Committee, our major national problem 10 years hence will be that of maintaining and insuring an adequate supply of fresh water. Representative BLATNIK and my distinguished colleagues, Senators KERR and MONRONEY—both of Oklahoma—among others, have been in the forefront of those who have pressed for increased Federal responsibility to avert an otherwise inevitable national crisis.

A significant advance in this direction was achieved by the 84th Congress in passing Public Law 660, which, for the first time, made Federal funds available to States, interstate agencies, and local communities for the purpose of stimulating pollution abatement programs and facilities.

I was pleased to note, also, a recent announcement in the press that the administration is asking Congress to appropriate $500,000 this year to accelerate a comprehensive survey of Potomac River Basin resources. It is to be hoped that this request indicates a growing awareness on the part of the Administration—as well as in the Congress—of the urgency of the problem. But however important and necessary such a survey is, it will not solve the problem of one of the chief sources of pollution; * * * that is, the towns and cities of the upper Potomac which do not have the funds—and cannot afford to borrow on the open market—to build their own sewage treatment plants.

It might be advisable, therefore, under some such plan as the Community Facilities bill, to augment the limited funds available under Public Law 660 by providing Federal loans to communities in river basin areas for the specific purpose of sewage treatment plants. In addition, thought should be given to the feasibility of offering tax benefits to industries to stimulate their development of treatment plants for industrial wastage.

I offer these suggestions, not in the sense of presenting a program, but merely to indicate the continuing need for exploring the range and function of Federal responsibility.

Surely, there can be no question that this is a legitimate area of Federal interest. The bare figures of the growth in per capita water consumption in the United States illustrate the point dramatically:

In 1900, the per capita use of water was 540 gallons per day; by 1940 this had increased to 1,020 gallons per day; it is estimated that, by 1975, this figure will be more than doubled to 2,100 gallons per day for every man, woman, and child—or a total of approximately 450 billion gallons per day.

Though it becomes apparent that water resources control is a national problem—and therefore enlists the Federal interest and responsibility—it is equally apparent that the Federal Government exercises no magic power over the problem.

Indeed, the very complexity of the problem and the variety of regional conditions call for the solution in other than Federal terms. There are, at present, no less than 22 Federal agencies from the various departments and independent administrative bodies which are active in the field of water resources conservation, planning, and development. Such are the conclusions of the recent study by Dr. Wolman and his associates, conducted under the authorization of the Commission. However, in order to extend the range of the Commission's functions and responsibilities, it will be necessary not only to remove the annual budgetary ceiling of $30,000, but, also, to pass new enabling legislation revising the terms of the interstate compact.

It has been suggested in the previously mentioned report that the terms of the compact be extended to provide for a conservancy district which will serve "the purposes of supporting and coordinating the activities of Federal, State, local, and private agencies, groups, and interests concerned with the wise and full use of the water and associated land resources of the interstate stream, and for the purpose of assisting such agencies, groups, and interests by sponsoring research and special investigations, by holding meetings and conferences to deal with problems and subjects of common interest, and by the dissemination of information."

The original Commission on the Potomac River Basin has done yeoman service in the pioneering of pollution abatement on a regional basis. We have, however, now arrived at a new phase of development—not only in the problems presented, but also in terms of our approach to the solution of these problems. It is time, therefore, that the compact for the Potomac River Basin be revised so that we might bring to full fruition the economic and recreational—the natural and human resources of the river basin—and so that we might restore the Potomac itself to a river worthy of the Nation's Capital.

I would be pleased to cooperate in working for the enabling act necessary for this next development in the resources of the Potomac River Basin.

HEART OF THE YEAR AWARD TO SENATOR LYNDON B. JOHNSON, OF TEXAS

Mr. ANDERSON. Mr. President, on July 3, 1955, the people of the United States were shocked and saddened to learn that the alert and vigorous majority leader of the Senate had been stricken with a heart attack. The attack had occurred the day previously, on July 2, 1955. I had been present at the same gathering where the majority leader was stricken.

Throughout the ensuing days, the American people followed Senator JOHNSON'S progress in the hospital with tremendous interest. The questions were: Can he regain his strength and health? Can he again resume his position of responsibility? Can he again be the leader of the majority party in the U.S. Senate? Since that time our colleague has given most emphatic answers to those questions.

This morning, at the White House, the American Heart Association presented to Senator LYNDON B. JOHNSON the Heart of the Year Award. The inscription upon it reads:

Presented to Senator LYNDON B. JOHNSON, whose faith, courage, and achievement in meeting the personal challenge of heart disease have inspired people everywhere with new hope and confidence.

I hope all Senators will examine the medal, because it is a fine one.

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

Mr. ANDERSON. I yield.

Mr. KEFAUVER. I wish to join with the distinguished Senator from New Mexico in paying tribute to the senior Senator from Texas upon his receiving this award. Not only in the Senate, but also in the House of Representatives, where many of us served with him, he was very active in helping to secure education in and larger appropriations for the treatment of heart disease. So this award is a recognition which he has deserved, not merely for the work he has done in the last few years, but also for his activities in this field over a period of many years.

Mr. ANDERSON. I thank the Senator from Tennessee.

Mr. President, at the time the award was made, there were present at the White House: Dr. J. Willis Hurst; Dr. Bruce Barton, chairman of the board, American Heart Association; Charles Perry McCormick, campaign chairman for the Heart Fund; William W. Moore, Jr., and Frederick Arkus, National Heart Association, National Office; Paul Welch, secretary to Mr. McCormick; Bryce Harlow, of the President's staff; Thomas E. Stephens, Secretary to the President; President Eisenhower; and Senator and Mrs. Johnson.

I thought it was extremely gracious of the President of the United States to make this presentation to the distinguished majority leader. When Senator JOHNSON of Texas received the award, he replied as follows:

I am accepting the award of behalf of all those who owe recovery from a heart attack and return to good health to the American Heart Association and to the dedicated work of the medical profession.

There is no politics in the battle against sickness and disease. As President Eisenhower and I discovered, heart attacks are completely bipartisan. The struggle against heart disease must be bipartisan, also.

More basic research is needed in our struggle to find out more about heart disease. Therefore, you should support your Heart Fund drive.

As one who carries a little heart medicine with him at times, I think I may say that all of us have been inspired by the way in which the distinguished majority leader has carried on his activities. I, for one, am very, very happy to know that the American Heart Association recognizes that men of strength, determination, and courage are able to rise above circumstances which seem to be difficult and to emerge strong and filled with a desire to contribute to the cause of good government and to do the best they know how for the Republic they serve.

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

Mr. ANDERSON. Yes; I am happy to yield to my distinguished friend from Illinois.

Mr. DIRKSEN. Mr. President, I have known a good many coronary cases, past and present. I suppose that after surveying and observing them over a period of time, one gets the distinct impression that when these attacks come on, there is a tendency, somehow, to retreat from the activities of normal existence and to let them weigh down like some clammy psychosis upon all activity and future adjustment.

If I had to pick an individual anywhere in the United States who by his activities and his diligence, demonstrated his devotion and his unremitting, keen interest in everything which goes on, it would be the majority leader of this great body, the very distinguished senior Senator from Texas [Mr. JOHNSON].

So I concur in the sentiment which goes along with this award. I think the Senator's whole life, his whole being, and all his activities since the onset of the attack some time ago, have done wonders toward inspiring people to know that they can go on and do great work.

I may say, in a rather personal vein, that I was in Paris, France, returning from the Orient, at the time of this very unfortunate occurrence several years ago. I felt so keenly about it that I sent Senator JOHNSON a cablegram from Paris, uttering my own prayers for his well-being. But his activity, his earnestness, in going about the business of the country, has been such that I think he is a great living example and a wonderful exponent of how the ravages and attacks that come from we know not where can be rolled back to enable us to live long and useful lives.

Mr. ANDERSON. I appreciate the sentiments expressed by the able and distinguished minority leader, as I am sure the majority leader does. They are what I would have expected from the Senator from Illinois, after my long association with him in the House and now, again, in the Senate.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. YOUNG of Ohio. As a new Senator, I yield deference and devotion to the distinguished senior Senator from Texas [Mr. JOHNSON], who is our outstanding majority leader. I have marveled at his strength, his vigor, his activity, and his great industry in the service of the Nation.

I join other Senators in a feeling of great happiness over the recognition accorded the Senator from Texas today by the American Heart Association.

Mr. JOHNSON of Texas. Mr. President, my friends have been much too kind to me. I am very much in the debt of the distinguished Senator from New Mexico. I perhaps would not be here today except for his wise counsel on the evening when I suffered the attack.

I hope that none of my colleagues will have any more to say about it, although my appreciation could not be greater.

I hope that out of it, however, will come an examination on the part of every citizen of the country as to whether we are doing enough in basic research in the heart field. Approximately 300,000 to 400,000 of our citizens die each year from this terrible disease. Approximately 3 million or 4 million of our citizens are suffering now from it. The only way we can ever get at it is, not by speeches—although they are important, and it is necessary to enlighten our folks—but by reaching down into our pockets and helping the American Heart Association with its Heart Fund drive this month, and by reaching down into the coffers of the Treasury and providing more money for more basic research, so we can find some of the answers to this terrible disease which is taking so many of our best people.

I would not have called a doctor except at the insistence of the Senator from New Mexico [Mr. ANDERSON]; and I probably would not have survived after I had a doctor except for the prayers and understanding not only of all the Members of this body but of others as well. Mr. President, to show you what a wonderful institution this is, I say to you that within less than a week after my attack 94 Members of this body had communicated with me; and their prayers, their encouragement, and their stimulation are what permitted me to carry on.

To the Heart Association; to my own Dr. Hurst; to President Eisenhower, who dictated a letter in which he urged me to take things a little slower and a little easier, and then went away from his desk to have an attack himself, the next day—in fact, I am informed that the last letter he dictated was the one to me, urging me to take things a little slower; and I now have that letter, unsigned, from him—and to the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Ohio [Mr. YOUNG], and the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], who always is too generous with me, I extend my thanks; also for what I know the Senator from Minnesota [Mr. HUMPHREY] wants to say, although I hope he will not. However, I know of his great interest in this field. I suggest that he save his words and his speech, so we can get some more money and save more lives.

Mr. HUMPHREY. Mine will be a short speech. Amen. [Laughter.]

Mr. ANDERSON. Mr. President, I shall not take longer of the time of the Senate; but as one of the members of the cardiac club, I wish to say that we are delighted to see the Senator from Texas in such excellent health. On behalf of all of us, I congratulate the Heart Association on the recognition it has given him and on its program for the welfare of mankind.

HAWAIIAN STATEHOOD

Mr. GRUENING. Mr. President, when the 85th Congress enacted legislation to make Alaska the 49th State, it took a historic step which proved highly popular throughout the Nation. I think it fair to state that no more widely applauded action has been taken by the Congress in recent years. Throughout our land, people hailed this action as a demonstration that Uncle Sam practices what he preaches, cheered it, and were cheered by it as evidence that our Nation had not, as seemed to be feared in some quarters, become old and tired, and had not slowed down and, indeed, had not concluded its magnificent growth and expansion westward and forward which had characterized our entire history.

Alaska's admission signified the extension of the frontiers of democracy to America's farthest north and farthest west. It advanced the front line of freedom to within a naked-eye view of the totalitarian police state which lies just across Bering Strait.

Now our Nation, I feel confident, looks forward to another action similarly important and correspondingly desirable. It is the admission of Hawaii as the 50th State.

Mr. President, Hawaii has waited long and patiently for application to it of the most basic American principle—the principle of government by consent of the governed.

It has been over 100 years since President Franklin Pierce suggested that Hawaii be incorporated into the American Union as a State. In our own time, the case for the admission of Hawaii as a State has been heard again and again. Since 1935, no fewer than 22 formal hearings have been held on this matter by the appropriate committees of both the Senate and the House. As Director of the Division of Territories and Island Possessions, I attended one of those hearings 22 years ago, in the fall of 1937, in Hawaii, before a joint committee of Senate and House Members.

The record on the issue of Hawaii's statehood has now mounted to the formidable number of 6,400 printed pages of testimony and exhibits, totaling some 3 million words, with approximately 900 witnesses having been heard both in the Territory and in Washington. Ten congressional reports on investigations testifying to Hawaii's readiness for statehood have been made. The case for Hawaii has undoubtedly been given more thorough consideration than that given to almost any other matter which is likely to come before the 86th Congress. Probably no State already admitted has had its application so thoroughly examined, so carefully considered, and approved so many times.

Hawaii has met every test of statehood. It has more population than four States of the Union. It has for years paid into the Federal Treasury more taxes than those paid by nine States of the Union. It has, for a quarter of a century or more, had a successful, going economy. It has set no less high social standards. Hawaii not only has met every test of patriotism, but also has established a record of which any State of the Union might be proud. Its record of service in war has been unexcelled: in the percentage of its casualties, in the proportion of those decorated for gallantry in action, and in the proportion of its people serving both in World War II and in Korea.

One of the unique contributions which Hawaii will make to the great diversity of cultures which is a part of America's strength is its gift of the aloha spirit. Those of us who have been to Hawaii have been deeply moved by its warmth, its kindliness, its generosity, and its genuineness. It comes close to being a living application of the Golden Rule. The world needs more of it.

Hawaii has rightly been called the showcase of democracy. As such, it has a great contribution to make in the struggle between the freedom that America represents and the tyranny of totalitarianism. Hawaii's admission will go far to enlist the support and sympathy of the neutral, the wavering, the uncommitted people of the world. This is an action that will even penetrate iron curtains. I have had occasion to say before, and repeat it now because I deeply believe it, that it is more important for the United States to grant statehood to Hawaii than it is for Hawaii to receive it.

I am happy to be a cosponsor of Senate bill 50, appropriately so numbered, for the admission of the 50th State, introduced by the distinguished chairman of the Committee on Interior and Insular Affairs, Senator MURRAY, of Montana, who has played so large a part in helping Alaska achieve statehood, and who has done so much to bring the Hawaii statehood bill to its present favorable legislative status, with its sponsorship by 54 Members of the Senate.

Mr. President, in the court of public opinion, of American opinion, the cause of Hawaii statehood has been overwhelmingly approved. The last Gallup poll showed a ratio of 8 to 1 in favor of Hawaii statehood in 1958. Hundreds of editorials have for years appeared throughout our Nation's press endorsing Hawaiian statehood. Very few of them have been unfavorable.

At this time I should like to submit several recent editorials on the subject of the admission of Hawaii: One is entitled "Next: Hawaii," and was published in the New York Times; another is entitled "The Case for Hawaii," and was published in the Winston-Salem Journal; another is entitled "Alaska Today, Hawaii in '59?," and was published in the Spartanburg (S.C.) Herald; another is entitled "One Star Is Missing," and was published in the Austin (Tex.) Statesman; another is entitled "Give Statehood to Hawaii, Soon," and was published in the Tyler (Tex.) Courier-Times; another is entitled "Make Hawaii 50th," and was published in the Gainesville (Tex.) Register; and another, which was published in the Atlanta Journal, and was reprinted from the Milwaukee Journal, concludes with this sentiment, which I heartily endorse:

> There are few more urgent matters to be faced by the new Congress—nor one on which such easy agreement could be reached. Let's make it 50 united States as soon as possible after Congress convenes.

Mr. President, I ask unanimous consent that these editorials be printed in the RECORD at the conclusion of my remarks.

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

[From the New York Times, Feb. 1, 1959]

NEXT: HAWAII

There is no reason or excuse to put off statehood for Hawaii. The fact that Alaska has become a State is a contributing argument for Hawaiian statehood, but it is only one among many.

The arguments for Hawaiian statehood have been presented from time to time for a generation or so. In 1947, 1950, 1953, and 1954, the House voted for statehood. Since 1948 both major parties have been committed to statehood, immediate or eventual. Since 1952 both have been committed to "immediate statehood." The time has now come to keep these longstanding promises. In Washington this weekend, majority and minority leaders of the House stand committed to action at this session. The final draft of the enabling act may be brought to the floor this week. And this time the enemies of statehood, of whom there still are a few, would be unwise to delay the measure in the House or try to talk it to death in the Senate. Some calculating politicians want to hold Hawaii with nearly 600,000 population, to one representative. One guesses who—and why.

There are no good arguments against Hawaiian statehood. The bad arguments have been: First, that the Hawaiian population is racially mixed; second, that the Communists are strong in the island; third—and this argument is rarely made out loud—that the Representatives and Senators first elected under statehood would probably be Republican.

It is true enough that the people of Hawaii are an intricate mixture of Chinese, Japanese, Portuguese, Koreans, Filipinos, some survivors of the original island people and a relatively small Caucasian intermixture. Some years ago island observers noted with delight that their elected Miss Hawaii claimed seven distinct strains of ancestry. The testimony of all candid and unbiased observers is that Hawaii is producing a richly endowed new race of its own. Those who fatuously believe, as did the late Mr. Hitler and his friends, that there is such a thing as a "pure" race should consult textbooks.

In the great crisis of 1941–45 Japanese-descendent citizens of Hawaii proved their loyalty and worth at home and in battle. As for the Communists, they doubtless do exist, in Hawaii as on the mainlands. They don't control Hawaii, however, any more than they control the mainland. Nor is their influence among the workers in the sugar industry, or the waterfront employees, whatever it may be, likely to be increased by statehood.

Statehood is logical, just and necessary. The old ideas about far-off islands are obsolete. Hawaii in the jet age is next door to California. Like Alaska she is in the front-line of our western defenses. Hawaiian statehood should be an "immediate" order of business, in the Senate as in the House.

[From the Winston-Salem (N.C.) Journal, Dec. 27, 1958]

THE CASE FOR HAWAII

Now that Alaska has become the 49th State, no excuse exists for continued refusal to admit Hawaii to statehood. The 86th Congress, which convenes next month, should not end its 1959 session without acting to carry out the pledges of both parties and the repeated recommendation of President Eisenhower.

One of the chief arguments against Hawaiian statehood—that noncontiguous areas should not be a part of the Union—has been completely dissolved by Alaska's admission. If a noncontiguous Territory like Alaska, with a population of only 209,000, is to be granted statehood, surely Hawaii, with a population of nearly 600,000 deserves as much.

Political considerations have played an important role in the denial of Hawaiian statehood, but they too should be put aside. Democrats traditionally have been reluctant to approve Hawaii's admission because the Territory sent Republican delegates to Congress for many years. But now that Hawaii has voted Democratic in two successive elections, a two-party system may be well rooted there. Southerners have taken a dim view of the prospect of adding two more pro-civil-rights votes in both House and Senate. But disagreement with the views of a prospective State is hardly a valid reason for denying it a voice in Congress.

Another argument that has a certain popular appeal lies in the alleged magnitude of Communist influence on the islands. It has been claimed that Communists control the two largest labor unions in the Territory and that the unions, in turn, exercise a powerful influence in government.

If the Hawaiian Government were actually Communist controlled, this contention might have some merit. But the evidence to the contrary is strong. Only 2 weeks ago, for instance, Chairman LEO W. O'BRIEN of a House Interior and Insular Affairs subcommittee reported after a tour of the islands that the Communist apparatus is crippled in Hawaii. Communism, it would seem, could be fought more effectively if Hawaii is made a partner in the Union.

To all outward appearances, Hawaiian statehood has a better chance next year than ever before. Senator LYNDON JOHNSON has promised to schedule an admission bill for early debate. And Republican Senator THOMAS H. KUCHEL has given assurances that an overwhelming nonpartisan majority of his Senate colleagues favor statehood.

Hawaii's years of waiting, let us hope, are near an end.

[From the Spartanburg (S.C.) Herald, Jan. 3, 1959]

ALASKA TODAY, HAWAII IN '59?

Today the President proclaims Alaska the 49th State of the Union.

Alaska adds more than one-sixth to the total area of the States. It brings in more than 160,000 in population. It displaces Texas as the biggest and braggingest State in the Nation.

Yet, Alaska represents a greater change in the winning of its place on the Stars and Stripes. No longer does Congress consider it imperative that the soil of a new State be contiguous to that of the first 48 States.

That departure is of special importance to Hawaii, which also wants to add its star to the flag. Hawaii already is pressing its claim to statehood, and it has a strong claim.

Congress will find it hard to refuse. Whatever arguments there were against the principle of statehood for the Territories were swept aside in the acceptance of Alaska.

[From the Austin (Tex.) Statesman, Jan. 6, 1959]

ONE STAR IS MISSING

Now that Alaska has been formally ushered by Presidential Proclamation into the sisterhood of States, attention is being given to statehood for Hawaii.

Should this Congress vote to admit Hawaii, the life of the new 49-star flag will be brief. Alaska adds 160,000 population exclusive of the Armed Forces stationed there. Admission of Alaska also set a precedent. It stilled the clamor that a State must be contiguous to that of the other States.

Hawaii has a population exceeding 500,000. It pays more taxes to the Federal Government than 10 of the mainland States. That should make admission difficult to refuse, though some Congressmen are against statehood, fearing instability, in an emergency, of the island cluster's polyglot oriental population.

The House has voted for the admission to the Union of Hawaii three times. The Senate has failed to ratify the action so far. Perhaps this time it will, now that the precedent of noncontiguity has been broken.

[From the Tyler (Tex.) Courier-Times, Dec. 23, 1958]

GIVE STATEHOOD TO HAWAII, SOON

If our national lawmakers are mellowed into a spirit of generosity at this season, let them resolve to carry that mood over into the forthcoming Congress and then give statehood to Hawaii.

That Territory has been waiting patiently for 55 years for that gift. The Territorial legislature requested it back in 1903. Since 1920 there have been bills introduced in Congress to make Hawaii a State. The House has voted for Hawaiian statehood three times, the Senate once. There have been 21 hearings and studies into Hawaii's readiness for statehood. There are 6,450 pages of testimony in 33 volumes of congressional reports attesting to Hawaii's eligibility. Both political parties have endorsed statehood for a decade.

In recent years Hawaii has missed statehood only because enough votes couldn't be mustered to make Alaska a State, too. Now Alaska is a State.

Hawaii has many valid claims to statehood; one is particularly important now. By accepting Hawaii, with its people of many races, this country would be showing Asia that there are no racial barriers against people of oriental origin in our system of government.

There are few more urgent matters to be faced by the new Congress—nor one on which such easy agreement could be reached. Let's make it 50 united States as soon as possible after Congress convenes.

[From the Gainesville (Tex.) Register, Jan. 6, 1959]

MAKE HAWAII 50TH

While welcoming Alaska into the Union as our 49th and largest State, we think that the 86th Congress, which convenes Wednesday should give serious consideration to making the Territory of Hawaii the 50th star in our flag.

Lorrin P. Thurston, publisher of the Honolulu Advertiser and chairman of the Hawaii Statehood Commission, says that no Territory seeking admission as a State has ever more completely fulfilled the requirements of statehood or has been in as excellent a financial position to pay the costs and meet the obligations involved. Nor has any Territory been in a position to give more to the Union in terms of understanding of the needs of America for friendship and solid business relations in the entire Pacific area, and help in their accomplishment. We believe that is going to be increasingly important in the years to come.

The results of the November 4 general elections show that a majority of supporters of statehood for Hawaii have been returned to the 86th Congress. Leaders in both parties, and committee chairmen who will conduct hearings on Hawaii statehood bills, have promised action early in the new congressional session.

National opinion polls, and polls conducted in their constituencies by Members of the Congress, as published regularly in the press and in the CONGRESSIONAL RECORD, show that sentiment for the admission of Hawaii as a State is at an alltime high.

The admission of Alaska, to which the press and the people of the country gave overwhelming and enthusiastic approval, has swept away, once and for all, the myth of noncontiguity as a bar to statehood.

Prosperous, busy Hawaii, with a gross Territorial product of $2 billion, paying more Federal taxes than 10 States, and earning per capita income ahead of 25 others, will become a substantial member of the family of States when admitted.

Population in 1950 was 499,794. Today it is nearly 600,000. Industry parallels this growth. The year 1959 will witness completion of a $40 million oil refinery, a small steel plant, and more hotels to take care of our ever-increasing number of visitors. It will also usher in the era of the jet age in the Pacific. Flights between Honolulu and San Francisco will be of only 250 minutes' duration. The whole Pacific area is buzzing with activity.

By an act of its legislature, Hawaii first petitioned the Congress for statehood 55 years ago (in 1903). Since that time 21 hearings and investigations into our readiness for statehood have been held. The published record of hearings and reports totals 33 volumes comprising 6,450 pages of printed testimony. All of the reports have been favorable.

Thrice has the House passed the bill; the Senate once, when it was combined with the Alaska measure. In each instance, inaction by the other body caused bills to fail.

We agree with Publisher Thurston that in view of Hawaii's long record of exemplary pupilage in the best American tradition, that there is no longer a valid excuse for refusing to grant full American citizenship to the residents of the Territory. We hope the Congress will help Hawaii become the 50th State in 1959.

[From the Atlanta Journal, Jan. 1, 1959]

In recent years Hawaii has missed statehood only because enough votes couldn't be mustered to make Alaska a State, too. Now Alaska is a State.

Hawaii has many valid claims to statehood; one is particularly important now. By accepting Hawaii, with its people of many races, this country would be showing Asia that there are no racial barriers against people of oriental origin in our system of government.

There are few more urgent matters to be faced by the new Congress—nor one on which such easy agreement could be reached. Let's make it 50 united States as soon as possible after Congress convenes. (Milwaukee Journal.)

SEVENTY-SEVENTH ANNIVERSARY OF THE BIRTH OF THE LATE PRESIDENT FRANKLIN D. ROOSEVELT

Mr. RANDOLPH. Mr. President, inasmuch as the Senate was not in session on Friday of last week, I invite attention to the fact that Friday, January 31, was the 77th anniversary of the birth of the late President Franklin D. Roosevelt.

It is particularly significant and opportune to note that, when President Roosevelt came into office, the United States was in one of the most discouraging periods of our history.

In my home State of West Virginia, economic and social conditions in some sections—especially the bituminous coal-producing areas—are approaching a status almost as deplorable and tragic as were the dark years of the 1930's. I am also aware that similar grave and distressing conditions exist in several other States.

President Roosevelt's words when he assumed his duties, "This Nation asks for action and action now," are as timely today as they were then. He had the vision, the courage, and the determination as well as qualities of leadership to meet the pressing problems of that terrifying time.

Mr. ENGLE. Mr. President, on Friday we commemorated the 77th anniversary of Franklin Delano Roosevelt's birthday. With each birthday the name of Franklin Roosevelt takes on deeper meaning and significance. Each year we see greater improvements in the lot of our working men and women. We see greater peace and security for our elder citizens. We see greater advances along the road to the ultimate in civil rights. All this we can trace back to the vision and courage of Franklin Delano Roosevelt.

President Roosevelt's assault on poverty and injustice was relentless, and he made many enemies along the way. But in the difficult war years his bitterest critics became his reluctant admirers as they saw this great humanitarian become an incisive world figure with the strength and resolution to give the leadership the world so sorely needed.

THE MORAL AND SPIRITUAL OBLIGATION OF THE UNITED STATES

Mr. HUMPHREY. Mr. President, in the Washington Post and Times Herald of January 29, 1959, there was published an extremely thoughtful article by Mr. Walter Lippmann discussing a subject which has long absorbed me—the concept that a rich nation like ours must help the have-not nations of the world to develop their potential economic productivity, not only because it is in our own national interest to do so, but also because there is a moral and spiritual obligation to help our fellow men.

Mr. Lippmann quotes Mr. Douglas Dillon, of the State Department, as stating that—

> The need to help these peoples forward on the road to economic progress would confront us even if communism and the Sino-Soviet bloc simply didn't exist.

I wish to commend this kind of broadgage and affirmative thinking in the highest echelons of the State Department. It is a similar remark to one I made during the discussion of the National Defense Education Act last session when I said in substance the following: "There are constructive programs which we should undertake because they are noble and positive and meaningful in themselves, without reference to the cold war and without reference to the Soviet Union. I do not think we should be forever looking over our shoulders, and forever watching what the other fellow is doing. Let us get on with some constructive policies, and let the other side do a little watching, and a little reacting. In other words, let us have a little more action, and a little less dependence on reaction."

Mr. President, I ask unanimous consent to have printed at this point in my remarks the article by Mr. Walter Lipp-

mann entitled "The Duty of Rich Nations."

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

THE DUTY OF RICH NATIONS

The President of Argentina, Mr. Frondizi, has come to Washington and gone. Unlike Mr. Mikoyan's visit, his was a state visit in which the whole ritual for such occasions was observed. But Mr. Frondizi has left behind him for the American people to ponder what can fairly be called the most poignant, and it might be the most embarrassing, question in our foreign relations.

The question is whether we are ready to recognize the principle that rich nations in the world community, like rich individuals in their own communities, have a duty to help the poor to raise themselves out of poverty. "We cannot ignore," said President Frondizi to Congress, "the harsh fact that millions of beings in Latin America suffer from misery and backwardness * * *. When there is misery and backwardness in a country, not only freedom and democracy are doomed but even national sovereignty is in jeopardy."

This principle—that rich have a duty to the poor—is not now part of our official philosophy of foreign aid. The United States has made substantial contributions, and not all of them have been wisely and effectively spent. But in relation to our wealth the contributions have not been very great. What matters most, however, is that Congress has voted these contributions on what is humanly speaking a self-defeating principle. They have not been voted on the principle that the rich have a duty to the poor but on the theory that we are subsidizing our allies in the cold war. Because Latin America has not been in the frontline of the cold war, we have done comparatively little about the misery and backwardness of Latin America.

This theory—that foreign aid is an instrument of the cold war, and would not otherwise be necessary or desirable—was challenged by President Frondizi. On this point, there were, as he spoke, men in high places who were prepared to understand him. Notable among them was Mr. Douglas Dillon, who is the Under Secretary of State in charge of economic affairs. On January 16 before the Foundation for Religious Action, Mr. Dillon made a speech which had little attention at the time, but is of great and far-reaching consquence.

After saying that there was no need before that audience to spell out the full dimensions of the Soviet challenge, Mr. Dillon went on "to examine with you the demands being made upon our resources and upon our consciences to help raise the living standards of the peoples of Asia, Africa, Latin America. These are the areas where most of mankind lives and where the struggle between freedom and totalitarianism may ultimately be decided. The need to help these peoples forward on the road to economic progress would confront us even if communism and the Sino-Soviet bloc simply didn't exist."

Why? For the same fundamental reason, which is at once a matter of morals and/or prudence, that we have learned to accept the view that within a nation great extremes of poverty and riches are intolerable to our consciences and subversive of the social order. We now live in a world community, and the most portentous fact about the age in which we live is that the gap between the rich peoples of Western Europe, North America, and Australasia on the one hand, of Asia, Africa, and Latin America on the other, is enormous. Worse still, the gap is widening. Rich peoples are getting richer faster than the poor peoples are overcoming their poverty.

The rich countries, with a total population of about 400 million, have an average income per capita of about a thousand dollars a year. In the United States, it is more than $2,000 a year. The underdeveloped countries, leaving out Communist China, have a population of over a billion and an average income of only $60 a year. During the past 50 years, the per capita income in the West has doubled, and it is rising appreciably each year. In the poorer countries, the per capita income has increased very little, and in many places it has deteriorated.

These are, I believe, the overriding facts of the times we live in and of the world in which we have to play so big a part. It is not too much to say that on our response to these facts will depend—if we do not all go up in the smoke of a world war—our prospects in the cold war, and our position in the decades to come as a world power. This does not mean, and no one should be so silly as to suppose that it does, that we who are only about 7 percent of the world's population, can eliminate the immemorial misery of half of the human race. What we can do is to raise considerably the amount we invest or lend to the key countries in Asia, Africa, and Latin America. Thus we can well afford to set aside something in the order of five billions annually for development and reconstruction. For that would not be much more than 1 percent of our gross national product.

The way we make our contribution is at least as important as the amount of the contribution. For insofar as we treat the contributions as a subsidy to buy allies in the cold war, they do as much, probably more harm, than they do good. For then we present ourselves in the guise of a great imperial power seeking to buy dependents, and that is a principal reason why with all the fuss about our foreign aid programs, we have been losing, not gaining, friends in the world.

The whole operation of foreign aid would wear a different face if it were founded on the principle—laid down by Mr. Dillon—that we make a contribution because it is the simple duty of the rich to help the poor. It would be a noble act, which would pay big dividends in self-respect at home and good will abroad, if the Government would declare the principle that to fight against poverty is a duty, not an instrument of our military strategy.

I do not myself think it is wishful thinking to believe that Congress and the people, who are now bored with foreign aid as it is presented and administered, would respond much more readily if it were inspired by a big idea, rather than by small and calculating notions of how to score points in a contest.

THE MODERN GARB OF TYRANNY

Mr. RUSSELL. Mr. President, since the decision by the Supreme Court in the school cases in April 1954 a great many speeches have been delivered and a great many articles have been written dealing with that subject. I have read a great many of them.

A few weeks ago I had the privilege of reading an address delivered by Hon. Alex A. Lawrence, of Savannah, Ga., before a meeting of the Magna Charta Dames on November 12, 1958.

I regard this address as one of the ablest deliverances on the situation which prevails in the United States today. Mr. Lawrence is an outstanding lawyer. For many years he has been a leader of the Georgia bar. In addition, he is one of the most eminent historians in the United States.

Among his more prominent offerings has been a biography of Mr. Justice Wayne, of the United States Supreme Court, and a book entitled "Storm Over Savannah," which dealt with the siege of Savannah in the war for independence, referred to as the Revolutionary War.

I commend this address to the attention of all those who are interested in the subject of freedom, and in the subject of maintaining a proper balance between the powers of government in this country.

Those who read this able address must come to the inescapable conclusion that unless we are able to restore some measure of restraint on the Federal judiciary in this land of ours, the freedom of all our people will be in danger.

I regard this address as so noteworthy that I ask unanimous consent to have it printed in the body of the RECORD at this point as a part of my remarks.

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

THE MODERN GARB OF TYRANNY

(Address by Alex A. Lawrence, before a meeting of the Magna Charta Dames, Nov. 12, 1958)

There are many ways in which a speaker either fails to gain or soon will lose the attention of an audience. A sure one is not at the outset to provide his listeners with some clues to his route and purposes so that he may be more easily followed.

I purpose to speak to you about the long struggle in England and America to bring rulers under restraint of law. Tyranny is always versatile. It has ridden with the sword; it has borne the scepter; we have seen it in cassock; it has carried the mace. Today it appears in new garb—black robes. If tyranny's modern guise is harder to penetrate, it is just as evil and malignant as in the days when it wore a crown or brandished a sword. Such is the general theme and purport of what I have to say today.

Nowhere is the importance of Magna Carta better illustrated than in the fact that one who travels the way I am taking starts out from that June day nearly 750 years ago when the barons met King John in the meadow which is called Runnymede between Windsor and Staines. John was a tyrant, pure and simple. Of the man from whom the barons wrested Magna Carta in the year 1215 a contemporary said: "Foul as it is, hell itself is defiled by the fouler presence of John." We do not see his like again in English history. We shall, however, see other tyrants. They have an evil characteristic in common, the control or attempted control of justice. The Curia Regis of Angevin days was indeed a king's court. The monarch frequently sat there in person. Justice was purchased and sold there like a commodity. We do not need the 40th chapter of Magna Carta to prove that fact; many examples of the vending of justice are brazenly recorded on the rolls of the exchequer of those times.

The great place of Magna Carta in constitutional history rests in the fact that the unlimited prerogative of kings was for the first time brought under restraint. Thereafter the Crown was to be under the rule of law. The Great Charter symbolizes the end of absolute and the beginning of limited monarchy. Under it England became a nation and not a Norman appendage.

But tyranny is never deterred by written compacts. Scarcely was the Great Charter sealed before it was repudiated by King John.

Pope Innocent III issued a papal bull declaring the charter void. The barons were excommunicated. Tyrants, as we shall see, often ride in high company. Despite its confirmation by English kings on upward of 30 occasions (11 times alone in the reign of Edward I), Magna Carta was dishonored in the breach rather than honored by observance during the next 400 years. Arbitrary imprisonment was the rule in England. Personal liberty was unknown. During those centuries the royal prerogative grew in malignance. The mass of English people were docile. Masses are always docile. Large gains in freedom and liberty are usually achieved by the blood and valor of a few great souls.

With the coming of the Stuart kings, England emerged from the Middle Ages. Though its trappings remained, medievalism was dead. It was the high destiny of Englishmen of that century to establish after bitter struggle the concept of limited monarchy; of a Crown that was not above the law. The human leaven at work in the Tudor period perhaps made a struggle for supremacy between King and Parliament inevitable. James I hurled the gage of battle at the feet of the Commons. The royal prerogative was so unbounded, he claimed, as to be "no subject for the tongue of a lawyer, nor is it lawful to be disputed." He repeatedly informed Parliament that its privileges were exercisable under his pleasure and that it had no more business inquiring as to what he might lawfully do than as to what the Deity could. "The duetie, and allegeance of the people to their lawfull king," wrote this monarch, was to "obey his commands in all things, * * * acknowledging him a judge set by God over them, having power to judge them, but to be judged only by God." Churchmen of the day preached this doctrine of the divinity of kings.

It is "a thing regal and proper to a king," James I declared, "to keep every court within its bounds." Chief Justice Edward Coke had described Magna Carta as "such a fellow that he will have no sovereign." He was dismissed from office because he did not see eye to eye with the Crown. The attorney general of Charles I argued to a sympathetic king's bench in 1627: "Should anyone say, the King cannot do this? No, we may only say, he will not do this." In modern days there are attorney generals who claim a similar prerogative for the Federal judiciary. And there are those among us who maintain that we have as little right to challenge the United States Supreme Court as the Deity.

Fortunately for freedom the light of Magna Carta shone across 400 years of darkness into the 17th century. The Great Charter was now to play its greatest role. It became for this era the very symbol of man's freedom. There were Englishmen in the time of the Stuarts who were as undaunted by tyrants as the barons were in the time of John. They forced through Parliament the celebrated Petition of Right. In spirit and purpose the blood brother of the Charter, it drew a line in certain areas which marked the end of the King's prerogative and the beginning of the reign of law. The writ of habeas corpus was to lie even when an arrest was by command of the King or the star chamber.

But parchments make poor fetters for tyrants. The petition was repudiated by Charles I and the parliamentary leaders were imprisoned. The executioner's ax later descended upon his royal neck. The death sentence declared that he had ruled, not by law, but by his own will.

However, tyranny was not dead. Tyranny never dies; it merely sleeps. The second Charles and the second James piously professed deep respect for law. Tyrants live comfortably under law—or rather under the mere form of it. Courts can be controlled when judges are controllable. (Courts can still be controlled by advance screening of the judicial philosophy of appointees.) Charles II dismissed two lord chancellors, three chief justices, and six judges. James II went further. Seldom has the judiciary been so disgraced by partiality and arrogance as in this era. Judges prostituted themselves in advancing every royal encroachment. In riding the "bloody assizes" in 1685 Chief Justice Jeffries and his colleagues were on the King's business under the King's orders. James II placed troops at their beck and call. The history of tyranny moves in circles—not vertically. Present always meets past at some point. In modern days an itinerant judge, equally partial, is sent down by the Department of Justice on the business of superiors. Troops pour in to enforce his edict at bayonet point. History ran a full circle in Arkansas. The difference was that 17th century Englishmen saw and knew what was going on; 20th century Americans will not look.

The Declaration of Rights enacted by Parliament in 1689 following the Glorious Revolution that dethroned James II was the crowning glory of a century that saw the establishment or vindication of many of the basic principles and cherished liberties that were later to find expression in the Federal Constitution and the original amendments. Unknowing people sometimes are heard to say that the Bill of Rights in the Constitution of the United States gives them the privilege to this or that. The Bill of Rights gives nothing. It only reaffirms and resecures liberties won long before by Anglo-Saxon struggle and sacrifice. It is easy to take hereditary rights for granted. That is why liberty is often lost. Freedom lives in men's hearts; it withers on paper. "Liberty," Lord Acton once said, "is something never established for the future; but something which each age must provide for itself."

Tyranny did not pass with the Stuarts. So long as lust for power is a depravity of mankind, so long will despotism be resilient. Thwarted in England in the 17th century, it reared itself in America in the next century. The royal prerogative was extended across the Atlantic under George III. A great revolution settled the issue. A new nation came into being, dedicated to the idea of the bridling of absolute power through government under a written constitution. Like Magna Carta, the genius of the Federal Constitution was the restraint of absolutism by law. Under expressly delegated powers, carefully counterbalanced and always limited, it couldn't happen here.

O Magna Charta Dames, proud in the accomplishment of your forebears at Runnymede, do you not see that the curse of King John is over your own land? Tyranny is, indeed, often difficult to see. What is hard to detect is hard to deter. Even when recognized, men tend to endure rather than overthrow it. Charles I might have died an absolute monarch if he had not attempted to impose the episcopacy on Scotland; James II was chased off the throne mainly because he was a papist, not because he was a tyrant. Judicial despotism is more insidious than any other form of absolutism. The Supreme Court of the United States is a "noiseless, and therefore unalarming instrument;" the Federal judiciary is "a subtle corps of sappers and miners." Those are not my words. Thomas Jefferson said that.

A man could feel a Tudor lash across his back or a Stuart pillory about his neck. Despotism is obvious when it arbitrarily crops men's ears or chops off their heads. But a berobed Chief Justice with lawbook in hand (a modern sociological tome between its covers) is harder to recognize for what he really is. Absolutism is the same bad merchandise in all eras. Packages and trademarks change.

An eminent jurist, Judge Learned Hand, has recently declared that the basis on which the Supreme Court set itself up as a third legislative chamber can rest on nothing else than a "coup de main"—or a pure usurpation, one might say, if the French had not given us a phrase for it. The Court has evolved into an anomalous body, unknown to the Founding Fathers; unknown to the Federal Constitution; unknown, indeed, to anything in the history of constitutional law. It has become a sort of constitutional convention; always in session and eternally busy at making our Constitution read like modern judges want it to be read.

The Supreme Court Justice is no longer a jurist, he is a zealot. A lawyer in name, he is a reformer at heart. The philosophy that the Court should use its enormous power for so-called wholesome social purposes is rampant in our generation. The liberal and activist elements on the Court have unabashedly thrown off all restraint. One of the Justices glibly announces that "stare decisis has * * * little place in American constitutional law." Members of the Court explain that the process of amendment of the Constitution is too slow. Others cooly tell us that if they are wrong the next generation of judges can correct them. Mr. Justice Stone significantly pointed out in 1936 that "while unconstitutional exercise of power by the executive and legislative branches of the Government is subject to judicial restraint, the only check upon our exercise of power is our own sense of self-restraint." At that type of restraint tyrants in all ages have laughed while populaces weep. Liberty held at the arbitrary will of another is the illusion of liberty. Power which is only self-restrained is absolutism.

For over a century there were limitations of a sort upon the Supreme Court. For one thing, the judges looked for the meaning of the Constitution in the intent of the framers and ratifiers of that document. It meant what the Founding Fathers intended it to mean; not what judges thought it ought to mean for their own day and time. The touchstone of original intent was, to some extent, a check on arbitrary will in constitutional interpretation. There was another restraint—the rule of common law that courts must stand by settled judicial precedents. Once the meaning of a provision of the Constitution is fixed by a decision the judges are under a duty in later cases to follow the rule previously established by it.

Both in theory and practice these restraints upon raw judicial power have been abandoned in our Highest Court. The sheet anchors of the ship have been willfully cut loose by her crew. In large areas the Supreme Court rules by uncontrolled will. So did John and James and Charles.

It is a peculiar irony that due process guarantees intended to secure individual freedom have become the very source and breeding place of arbitrary rule by courts. Weapons intended to keep men free have been remolded in the judicial forge into shackles by which men are reenchained. As an able writer says: "The well understood words of Magna Carta moved across six centuries into the 5th and 14th amendments. Once they were our freedom—now they are our chains.[1] No student of constitutional history would suppose that the 39th chapter of Magna Carta and the words "due process of law" in the statute of Edward III meant more than that ordinary legal processes must precede any sentence, judgment, or action by which a man is deprived of his life, liberty, or property. The same words in the 14th amendment have been tortured by the courts into the meaning that State action of any kind must be constitutionally tested by its conformity to what is called fundamental principles of liberty and of justice or by equally nebulous formulas. What this means is nothing more than the notions and

[1] R. Carter Pittman, of Dalton, Ga.

predilections of judges on the particular subject. This is not law, it is whim.

The caprice and the favortism that mark its hegemony in constitutional interpretation is reflected in hundreds of decisions exhibiting a tender solicitude for the rights of criminal, Communist and crank while the rights of sovereign States go begging in the same Court. It is an old tale. After all, the 10th amendment is but a parchment compact.

Judicial absolutism is more awesome when its expression is legislation in the guise of court decrees affecting and dictating the pattern of daily life for millions of Americans. It is the more frightening in the hands of men (one man when there is a close division on the Bench) elected by nobody; responsible to none but themselves and appointed for life by politicians. Despotism is the more artful when it parades as justice and law. It is the more absolute when people are cajoled into believing that court decisions are the law of the land to which unquestioning obeisance is due. * * * Obeisance. Across three centuries there come to us the words of John Selden who, asked by what statute resistance to tyranny can be justified, majestically replied, "By the custom of England, which is part of the law of the land."

It is a sort of law of political science that governmental bodies possessing powers whose limits are adumbral or unprecisely defined inevitably tend to exert authority to the outermost bounds of the area of doubt. Power always expands into vacuums. Our Constitution has become but the gloss of decisions of the Supreme Court. That tribunal has now cast aside the restraints by which courts ordinarily police themselves. The high prerogative which it exercises is practically unlimited. Judicial independence has become judicial arrogance.

Somehow we must find some way to impose some measure of restraint on the powers of the Supreme Court. No one would destroy the Court. The halter of law is not a mark of servility; it is the hallmark of liberty. This is not the occasion to discuss the nature of the curb; whether it takes the form of elimination of judicial review of State action save where the same impinges on the delegated powers of the Federal Government; whether the Federal judicial should be denied power to veto State legislation because of the 14th amendment or the Federal Bill of Rights; whether the method of selection of Federal judges should be reformed, including divorcement of the judiciary from the Department of Justice; or whatever other means may be devised to bring the Supreme Court under a restraint wholly lacking now. It is more important at the moment to get people to realize that judicial absolutism exists today in America and that it is dangerous to liberty.

Facing in our time a constitutional crisis as grave as that which confronted 17th century England, a great task lies ahead of us. Absolutism is always formidable. It is never without powerful allies. In the coming struggle may God give us the courage of the men who centuries ago at Runnymede put rulers under the rule of law for the first time.

PUBLIC BACKS PRESIDENT EISENHOWER ON HOLDING THE LINE

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the Gallup poll report published in the Washington Post and Times Herald of Saturday, January 31, 1959.

This report is entitled "Public Backs Ike on Hold-the-Line." It shows once again that public thinking is well-informed and is perhaps running ahead of some areas of congressional thinking. A substantial number of our citizens realize that an unbalanced budget inevitably contributes to inflation and concomitantly decreases the value of the dollar. When it comes to the question whether the budget should be kept in balance by cutting back programs or increasing taxes, a whopping 72 percent favored cutting back programs.

Mr. President, I hope this public opinion poll will serve as a clear indication to us as elected representatives of the people as to the path to follow. I also hope it will serve as a clear contradiction to those who interpreted last fall's election results as a popular mandate for unbalanced budgets and runaway deficit spending.

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

THE GALLUP POLL—PUBLIC BACKS IKE ON HOLD-THE-LINE

(By George Gallup)

PRINCETON, N.J., January 30.—In the clash between President Eisenhower and congressional Democrats over the budget, the President holds a great initial advantage in public support for his philosophy of "holding the line."

Just what may happen to this advantage, however, will depend on how well and how hard the Democrats sell their philosophy that an expanding economy requires more Federal aid even if it means deficit spending to accomplish this.

The important political significance is that the public still thinks in strictly orthodox terms regarding the budget, or "like a family, the Government shouldn't spend more than it takes in."

Behind this overwhelming vote is a feeling on the part of many voters that operating in the red during the next year or two will result in serious inflation and have a generally harmful effect on the Nation's economy.

Some political observers have felt that if prices continue up between now and 1960, the Republicans will have a readymade issue in blaming the Democrats and their policy of deficit spending for rising prices.

Democrats challenging the President, therefore, have yet to convince voters of their economic philosophy—namely that increased spending is needed to make certain of national growth and progress to keep pace with Russia.

Some key questions and results in the Gallup poll's nationwide study of the public's attitude toward the budget:

Do you see any connection between an unbalanced budget and the prices of things you buy?

	Percent
Prices will rise	56
Prices will drop	1
See no connection	43

Do you see any connection between an unbalanced budget and the value of the dollar?

	Percent
Inflation, value of dollar decreases	58
Value of dollar increases	1
See no connection	41

If the time should come when Government income cannot pay for all the things in the budget, which would you favor—cutting back on certain things or increasing taxes?

	Percent
Favor cutting back	72
Favor increased taxes	15
No opinion	13

When voters who favored cutting back under these circumstances were asked what they would like to see pared, two areas of the budget were mentioned most often.

The No. 1 item which voters would like to cut back on is Government operations—salaries, personnel, and other expenses incurred in the day-to-day operation of the Federal Government.

The next most frequently mentioned was foreign aid.

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

EXTENSION OF TIME FOR FILING REPORTS OF THE COMMITTEE ON THE JUDICIARY

Mr. JOHNSON of Texas. Mr. President, on behalf of the Committee on the Judiciary, I ask unanimous consent that the time for filing reports pursuant to Senate Resolution 230, Senate Resolution 231, Senate Resolution 232, Senate Resolution 234, Senate Resolution 235, Senate Resolution, 236, Senate Resolution 237, Senate Resolution 238, and Senate Resolution 239, 85th Congress, be extended to March 17, 1959.

These reports concern certain subcommittees of the Committee on the Judiciary. I have taken the matter up with the minority leader, and he has agreed to it. I am informed that the chairman of the Committee on the Judiciary desires to have this request approved.

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

INVESTIGATION BY COMMITTEE ON ARMED SERVICES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 14, Senate Resolution 26.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution, as follows:

Resolved, That the Committee on Armed Services, or any duly auhorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction 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—

(1) common defense generally;

(2) the War Department and the Military Establishment generally;

(3) the Navy Department and the Naval Establishment generally;

(4) soldiers' and sailors' homes;

(5) pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(6) selective service;

(7) size and composition of the Army and Navy;

(8) forts, arsenals, military reservations, and navy yards;

(9) ammunition depots;

(10) maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone;

(11) conservation, development, and use of naval petroleum and oil-shale reserves;

(12) strategic and critical materials necessary for the common defense.

SEC. 2. For the purpose 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 expenses of the committee under this resolution, which shall not exceed $190,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. Is there objection?

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

Mr. JOHNSON of Texas. Mr. President, under rule XXV of the Standing Rules of the Senate, the Committee on Armed Services is authorized to examine, investigate, and make a complete study of any and all matters pertaining to the common defense generally; the War Department and the Military Establishment; the Navy Department and the naval establishment; the Soldiers' and Sailors' Homes; pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces; selective service; size and composition of the Army and Navy; forts, arsenals, military reservations and Navy yards; ammunition depots; maintenance and operation of the Panama Canal; conservation, development, and use of naval petroleum and all shale reserves; and strategic and critical materials necessary for the common defense.

For the purpose of the resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to make expenditures as it deems advisable, and to employ, upon a temporary basis, technical, clerical, and other assistants and consultants.

Most of these funds are to be utilized by the Preparedness Investigating Subcommittee. A listing of the staff allowed to the subcommittee appears at page 3 of the committee report. The letter of the Chairman of the Armed Services Commitee is found at page 2 of the report.

I may say that the Committee on Armed Services approved the resolution unanimously. The funds requested amount to $190,000. It is the same amount which has been provided each year for several years under both Republican and Democratic Congress. We try to be as prudent as we can in the use of these funds, and frequently we turn back some of the money. We believe it is necessary to have these funds available so that appropriate hearings may be held if necessary. That was the situation after sputnik, when several months of testimony was heard, and when more than 80 witnesses were sworn before the subcommittee. We spent 4 months in that connection, and evolved a very constructive report, which was submitted to the Senate unanimously. We believe that this is one of the best subcommittees of the Senate and that its work justifies its expenditures many times over.

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

Mr. JOHNSON of Texas. I yield.

Mr. ELLENDER. I understand that the pending resolution is similar to the resolution adopted last year.

Mr. JOHNSON of Texas. I would say it is identical.

Mr. ELLENDER. Is the staff a continuing one, or does the subcommittee employ a staff if and when it needs one?

Mr. JOHNSON of Texas. That situation fluctuates. We have a minimum staff of clerical people and a minimum number of investigators. When we conduct hearings, as we have for the last few days, we employ additional people on a consulting basis. Those people do not become permanent members of the staff. Consequently, we have been able to save some money in following that procedure.

Mr. ELLENDER. Do I understand correctly that, for example, the chief counsel of the subcommittee is not a permanent employee of the subcommittee?

Mr. JOHNSON of Texas. No; we have a chief counsel, who is a permanent employee of the subcommittee. However, we call in special counsel for some of our hearings, on a consulting basis.

Mr. ELLENDER. Last year the amount originally requested by the Armed Services Committee was $190,000, the same as this year. However, before the last session ended an additional $12,000 was appropriated, which made the total for that committee $202,000. This was the total amount requested by and authorized for the committee last year. Am I to understand that that entire amount was spent by the subcommittee?

Mr. JOHNSON of Texas. I am not familiar with the $12,000. I assume it has some connection with the Committee on Armed Services, and deals with a matter over which the committee has jurisdiction, and over which I have no voice. The $190,000 which was assigned to the Preparedness Investigating Subcommittee was appropriated, and we will return, of that amount, approximately $63,000.

Mr. ELLENDER. Of course, I have not been able to look into this matter very carefully, because these resolutions have been rushed through the Committee on Rules and Administration. As a matter of fact, they were printed only Saturday and were not available until this morning. Therefore, I have not had time to study them carefully. That is why I am asking my good friend the questions I have been propounding.

The record, I believe, shows that, in addition to the $190,000 which the committee obtained last year, an additional $12 000 was granted. I have been unable to find out whether that entire amount has been spent. The Senator, as I understand him, says that $60,000 has been spent.

Mr. JOHNSON of Texas. I said I had no information on the $12,000. That amount is not involved in the pending resolution. It is not involved here at all. It has nothing to do with the resolution dealing with funds set for the Preparedness Investigating Subcommittee. The subcommittee requests $190,000. Of the $190,000 given the subcommittee last year, we returned approximately $63,000.

The Senator will find that information in the last paragraph of the chairman's letter on page 2 of the report.

Mr. ELLENDER. Mr. President, it is not my purpose to place in the RECORD anything which is not in accord with the facts. I therefore reserve the right to place in the RECORD a statement dealing further with this $12,000 appropriation, and if it were appropriated for use by the subcommittee.

Mr. JOHNSON of Texas. Perhaps that money went to the Committee on Armed Services, but it did not go to the Preparedness Investigating Subcommittee. The authorization requested here is for the benefit of the Preparedness Investigating Subcommittee. Historically and traditionally we have been getting $190,000. Most of the time we have been able to return some of the funds. Last year we returned $63,000. I believe the Armed Services Committee did make a special request for $12,000, just as other committees make requests for additional funds.

Mr. ELLENDER. Each committee does get $10,000 for the entire session, for printing.

Mr. JOHNSON of Texas. I believe the Committee on Armed Services obtained $12,000 instead.

Mr. ELLENDER. I shall look into the matter, and I shall correct my statement, if the Senator will permit me to do so, if I am in error.

Mr. JOHNSON of Texas. I am informed by the clerk of the committee that the $12,000 was awarded to the subcommittee headed by the Senator from Mississippi [Mr. STENNIS], who heads the Subcommittee on Military Construction.

Mr. ELLENDER. Is that a separate subcommittee?

Mr. JOHNSON of Texas. It is a separate subcommittee.

Mr. ELLENDER. Are there any other subcommittees of the Committee on Armed Services?

Mr. JOHNSON of Texas. Not that I am informed, so far as investigating work is concerned.

Mr. ELLENDER. I thank the Senator for the information. As I have said, I should like to reserve the right to correct the RECORD as to the statement I made if I were in error. It appears now that I was misinformed to the extent that I was under the impression that a total of $202,000 was allocated to the Preparedness Investigating Subcommittee last year when in reality, $190,000 went to that subcommittee and another subcommittee of the Armed Services Committee received the additional $12,000.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 26) was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote by which the resolution was agreed to be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CONTINUATION OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 11, Senate Resolution 44.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution, as follows:

Resolved, That the select committee, authorized and directed to conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been, engaged in in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of the interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities, established by S. Res. 74, Eighty-fifth Congress, first session, agreed to January 30, 1957, as amended by S. Res. 88 of the Eighty-fifth Congress, first session, agreed to February 7, 1957, and extended by S. Res. 221 of the Eighty-fifth Congress, second session, is hereby continued. Any vacancy in the select committee so continued shall be filled in the same manner as the original appointments were made under section 2 of S. Res. 74, Eighty-fifth Congress, first session, as amended.

SEC. 2. For the purposes of this resolution, the select committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized, as it may deem necessary and appropriate to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony, either orally or by deposition; (7) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (8) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and, further, with the consent of other committees or subcommittees, to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the select committee.

SEC. 3. Notwithstanding the provisions of section 3 of S. Res. 74, Eighty-fifth Congress, as amended, the select 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, on which date the select committee shall cease to exist.

SEC. 4. Notwithstanding the provisions of section 5 of S. Res. 74, Eighty-fifth Congress, and S. Res. 221 of the Eighty-fifth Congress, second session, as amended, expenses of the select committee, under this resolution shall not exceed $750,000 and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JOHNSON of Texas. Mr. President, I call the resolution to the attention of the Senator from Arkansas.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

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

Mr. McCLELLAN. Mr. President, at the time the resolution was submitted, we sent to the Committee on Rules and Administration a letter explaining the request. The letter is addressed to the chairman of the Committee on Rules and Administration, the distinguished Senator from Missouri [Mr. HENNINGS]. In effect, we made a tentative report on the work of the committee during the past year. We are in process of preparing an interim report for the last year's work, which will be filed sometime in the latter part of this month.

Mr. President, I ask unanimous consent that this letter, explaining the work of the committee and giving the reason for the request, be printed at this point in the RECORD.

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

The Honorable THOMAS C. HENNINGS, JR.,
Chairman, Committee on Rules and Administration, United States Senate, Washington, D. C.

MY DEAR SENATOR: Reference is made to Senate Resolution 44, introduced in the Senate on January 23, 1959. This resolution requests the continuation of the Senate Select Committee on Improper Activities in the Labor or Management Field for an additional period of one year. Attached is the estimated budget for the period of February 1, 1959, to January 31, 1960.

The request for the continuance of the operation of this Committee has been approved by the unanimous vote of the members of the select committee.

As I pointed out before, the economic factors involved in the committee's work are of great magnitude. We are dealing in a field which directly affects over 17 million working men and women in organized labor. It is evident that organized labor is one of the most dominant forces in our Nation's economy and the economic well-being of our country can be directly affected by the unscrupulous control of portions of organized labor by racketeers and dishonest labor officials.

The treasuries of unions, including pension and welfare funds, represent an investment capital of such size that their impact on the securities and investment markets can best be gaged in the light of the Securities and Exchange Commission report that pension fund reserves alone are currently the largest single source of equity capital. The tremendous financial resources of labor unions have attracted too many unprincipaled men who have sought to enrich themselves to the detriment of the rank and file members of these organizations. These men have assumed dictatorial powers; stripped various members of their democratic rights by means of manipulation of their constitutions and bylaws and by resort to obscure legal technicalities; and have resorted to coercion and violence to accomplish their purposes. They have hired highly-paid accountants, lawyers, and publicity men to assist them in their grab for control and have flouted the courts, Congress, and the rights of members of their unions.

The committee has filed a report for its first year work, a copy of which is attached for your reference. The staff of the committee, at the present time, is diligently at work on a report of its operations during the second session of the 85th Congress. It is hoped that this report will be completed and filed soon after mid-February 1959.

As we have pointed out in our first report, and in hearings we have had during the past year, management must accept the blame for its part in bad labor practices. The Atlantic & Pacific Tea Company was equally at fault with Max Block, President of the Meat Cutters Union; and the Food Fair Company was equally guilty in its dealings with officials of the Meat Cutters and other unions to obtain favorable contracts.

We have found other instances of improper practices by both labor and management during our hearings. There was the mass picket lines and violence by the UAW in the Kohler strike on the one hand and the hiring of labor spies and purchase of tear gas guns by the Kohler Co. on the other hand.

In the committee's hearings we have found wholesale lootings and embezzlements of the funds of the treasuries of the Teamsters Union. One example was that of Local 107 in Philadelphia. In that situation we were confronted with the mass use of the fifth amendment by officers and underlings of this local to protect its higher officials. A very real example of dictatorial control of a local union by one man who reigns through the use of goon squads and violence.

The committee hearings have also disclosed widespread improper practices of union officials: Failure to disclose financial data to the membership of locals and some international unions; destruction of union records to conceal frauds and misuse of union funds; practices involving conflict of interest where union officials have entered into business enterprises which conflict with their obligations as union officials; infiltration of criminal elements into the field of both labor and management; corruption and collusion between criminal elements in management and labor to gain more favorable contracts to the detriment of the rank and file members of the union and competitive management concerns; improper secondary boycott practices and evidence of collusion between management to use such boycotts to eliminate competition between some management concerns; the use of go-betweens and labor consultants who have ingratiated themselves with dishonest labor leaders to obtain favorable terms for the companies these consultants represent.

During the past year, the committee heard 547 witnesses, conducted 103 days of hearings in a 10-month period from February 26 to December 26, 1958, or held a hearing in one out of every two working days. During these hearings, over 17,919 pages of testimony was taken. In comparison, during a similar period in the first year of the committee's operations, between February 1, 1957, and December 1957, the committee heard 427 witnesses in 95 days of public hearings, the transcript of which ran 15,736 pages. At the same time, of course, the members of the committee have had to cover their other senatorial duties. The burden of this work has been accepted by the committee because each member, I am sure, realizes the tremendous importance of the committee's task.

The following is a schedule of the hearings held since February 26, 1958:

	Days of hearings	Number of witnesses	Pages of transcript
Kohler (Feb. 26–Mar. 29)	23	75	4,899
Perfect Circle (Mar. 31–Apr. 1)	2	9	324
Philadelphia Teamsters (Apr. 15–May 9)	10	110	1,810
Meat Cutters—A. & P. (May 14–28)	9	36	1,375
Carpenters; Max Raddock (June 4–27)	6	29	855
Apalachin; Mafia (June 30–July 3)	4	24	722
Chicago restaurants (Mar. 21, July 8–31)	9	66	1,479
Overall and linen (July 31–Aug. 1)	2	16	353
Teamsters; Hoffa (Aug. 5–Sept. 18 and Nov. 17)	26	127	4,659
Secondary boycotts (Nov. 13–20)	6	29	918
Sheet Metal Workers (Dec. 2–3)	2	17	359
Coin machines [1] (Feb. 26, Dec. 4, 9)	3	7	97
Glimco; [1] local 777 (Apr. 24)	1	2	69
Total	103	547	17,919

[1] Hearings incomplete; to be continued.

The work of the committee between February 1, 1958, and July 1958, was discussed in my letter to you 5 months ago, dated July 22, 1958. This letter was incorporated in the Rules Committee report No. 1942, to the Senate. (To avoid repetition, I call your attention particularly to the discussion of the work of the committee, referring to the third paragraph on page 3 of the printed report, which covers the hearings of Kohler, Perfect Circle, the Philadelphia Teamsters, the Meat Cutters, and the A. & P. Co., the Carpenters Union, the Apalachin Mafia inroads into organized labor and the Chicago restaurant rackets.)

Since then, we have held hearings in the following situations:

1. The Detroit overall case, involving the combination of a racket-controlled overall service with certain officials of the Teamsters Union in Detroit. Testimony indicated that Detroit automobile dealers were threatened with strike action but then told that if they would sign up with the particular overall company the union would not insist on a contract.

2. For 7 weeks, the committee heard testimony on the activities of James R. Hoffa and the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America. The testimony covered a wide variety of subjects—the misuse of Teamsters funds, the stifling of union democracy, the extensive infiltration and domination of the union by racketeers and hoodlums, the solicitation of payoffs and bribes to settle labor-management problems and the continuing use of violence as a weapon of coercion and intimidation.

3. A hearing into the practice of secondary boycotts. This field of labor-management relations, on which there exists a good deal of controversy, was studied in respect to a number of situations, trucking lines in Nebraska and Texas, and the Barbers Union in New York City.

4. A hearing into the activities of certain officials of the Sheet Metal Workers International Union in the Chicago, Ill., area. The principal testimony centered on an arrangement arrived at between the Coleman Co., of Wichita, Kans., and Arthur Cronin, an international vice president of the union. Company officials testified they paid Cronin $27,000 for labor peace and Cronin denied receiving the money. Testimony was also heard on payoffs made by contractors in Chicago to certain officials of a Sheet Metal Workers Union local. The payoffs were described as the price necessary to operate a sheet metal business in that city.

In addition, the committee has heard several witnesses in two cases it expects to develop further in the coming month. These are an investigation of racket infiltration in the coin operated machine industry and in a hearing into the activities of Joseph Glimco, president of Local 777 of the Teamsters in Chicago, which represents some of that city's taxi drivers.

We have 51 members on our current staff. I would like to point out, as I have done before, that in my opinion we have assembled one of the most dedicated, experienced, and capable staffs ever utilized by a Senate committee. The staff members have worked without regard to usual business hours. A 12- or 15-hour day, frequently including Saturdays and Sundays, is not unusual for each of them. Were it not for their diligence and ability, it would have been impossible for us to accomplish what we have in the relatively short space of 2 years.

In addition to the above, the committee has also utilized, on a full-time basis, six very experienced investigators on loan from the Senate Permanent Subcommittee on Investigations, whose work has been of invaluable help to the committee.

It is the duty of the committee to take all steps to reveal the full facts to the Congress so that corrective measures can be taken where needed. Congress can act wisely only when it is in possession of the complete picture. This has been foremost in the minds of the chairman and members of the committee. It is my earnest desire and, I believe, the desire of other members of the committee, to complete the assignment at the earliest possible moment. However, the task of the committee is, as yet, not complete. During the course of the hearings thus far, there have been brought to life situations which, we feel, require legislative attention but, by no means, have all the existing wrongs been fully disclosed.

The staff is presently engaged in investigating other complaints of improper labor and management practices in areas not previously covered. It appears essential that the facts developed be presented and studied if we are to have a full understanding of all the factors upon which to base remedial legislation. These facts must be thoroughly explored to avoid the danger of enacting legislation which, while intent on curbing improprieties of dishonest labor or management officials, may also work to hamper and restrict proper labor and management relations and practices of honest, bona fide unions.

To properly fulfill the committee's responsibilities, more time is needed. It is my earnest hope that the committee will be able to complete its task by the end of the current year, and submit a final report to the Congress.

Sincerely yours,

JOHN L. MCCLELLAN,
Chairman.

Mr. ELLENDER. Mr. President, will the Senator from Arkansas state whether the report he just mentioned is the only report which will be filed by the committee concerning its activities during the last session of Congress?

Mr. MCCLELLAN. The Senator may recall that following the first year of the committee's operation a quite extensive report was filed. We are now in the process of preparing a second interim report, which will be equally voluminous and will be as informative, I think, as the previous one.

Mr. ELLENDER. Can the Senator state the extent to which hearings were held during the last session of Congress as compared with previous years?

Mr. MCCLELLAN. In the previous year, the committee held 104 days of public hearings. That statement is made from recollection, but I feel certain I am correct.

Mr. ELLENDER. That was during the year 1957?

Mr. MCCLELLAN. That was during the first year of the committee's operations, from January 31, 1957, to January 31, 1958.

This new report will cover from January 31, 1958, to January 31, 1959. At the time of the writing of this letter, which was some 6, 8, or 10 days ago, the committee had held 103 days of public hearings.

In the previous year the committee heard about 104 witnesses. Last year we heard 547 witnesses.

Since the letter was prepared, the committee has held, I believe, 4 additional days of public hearings. So that will bring the total to at least 107 days of public hearings during the year for which we are reporting.

Mr. ELLENDER. Will the report, which the Senator intends to file, disclose any new information of improper activities in the labor-management field?

Mr. MCCLELLAN. Yes; it will show them. Particularly in this report, we go into secondary boycotts and other aspects which were not considered in the previous year.

Mr. ELLENDER. Let me ask the Senator if the report is related to the so-called labor investigation, or is it a report from a subcommittee of the Committee on Government Operations.

Mr. MCCLELLAN. This is a report of the Select Committee on Improper Practices in the Labor or Management Field.

Mr. ELLENDER. How much money did the committee receive last year? It was much more, was it not?

Mr. MCCLELLAN. The same amount as is asked for this year.

Mr. ELLENDER. According to information before me, last year the committee received $200,000. This year the Senator is asked for $220,000.

Mr. MCCLELLAN. The Senator is looking at the resolution request from the permanent subcommittee.

Mr. ELLENDER. I believe I have the correct resolution. The amount sought is $220,000, is it not?

Mr. MCCLELLAN. I still think the Senator is in error. What is now before the Senate is Senate Resolution——

Mr. ELLENDER. Was not Calendar No. 12, Senate Resolution 43, what the Senator asked to have considered?

The PRESIDING OFFICER. The clerk will state the resolution which is now under consideration.

The CHIEF CLERK. Senate Resolution 44.

Mr. ELLENDER. Calendar No. 11, Senate Resolution 44.

Mr. MCCLELLAN. I think we are talking about different resolutions.

Mr. ELLENDER. I understood we were considering Calendar No. 12, Senate Resolution 43.

Mr. MCCLELLAN. I understood the clerk to announce that it was Senate Resolution 44. I have been addressing my remarks to Senate Resolution 44.

Mr. ELLENDER. I am sorry; I misunderstood the clerk. I had Calendar No. 12, Senate Resolution 43, before me. Is the resolution, then, which we are now considering the one dealing with the so-called labor investigation?

Mr. McCLELLAN. It is the resolution continuing the Select Committee on Improper Activities in the Labor or Management Field.

Mr. ELLENDER. What is the amount requested for this year?

Mr. McCLELLAN. It is $750,000.

Mr. ELLENDER. What was the amount received last year?

Mr. McCLELLAN. It was the same amount. In this instance, we are not taking into account the increases in salaries. It is our purpose and our hope—and I, as chairman, shall work to this end—to bring the work of the Select Committee to an end this year.

Mr. ELLENDER. That is precisely the question I wanted to ask the Senator. I think that point was brought out in requesting the appropriation for the Select Committee last year.

Mr. McCLELLAN. No; I did not bring it up.

Mr. ELLENDER. As I recall last year I asked if it were going to be possible to bring the work of the Select Committee to an end within the year, and the reply was that there was some hope along that line. But now the committee is asking for the same amount it received last year, and I presume it will retain the same number of employees.

Mr. McCLELLAN. There will be substantially the same number of employees. However, as public hearings are concluded, the staff should be reduced somewhat, and will be.

If the Senator has followed the work of the select committee, he knows that it has conducted possibly one of the most comprehensive investigations which have been made by Congress, at least since I have been a Member of it.

Mr. ELLENDER. I do not doubt that at all. I am well aware of the fine work being done by the Senator from Arkansas and the entire select committee. That is not my point. The Senator made recommendations in the labor-management field last year and the year before, and presumably will make more recommendations in the year ahead. But the truth of the matter is that, unfortunately, the Congress has done nothing with them. What is more, any bill which is presented to the Senate in this field will have to be considered by a standing committee which handles such legislation—the Committee on Labor and Public Welfare. While I have great respect for the work done by the Senator from Arkansas and his select committee, I have felt for a long time that these labor-management hearings should have been held by the Committee on Labor and Public Welfare. In this way, there would not be a duplication of work. The committee which held the hearings and conducted the investigation would also be able to consider corrective legislation.

Seven hundred and fifty thousand dollars was spent last year by the select committee and another $750,000 is proposed to be spent this year. The year before last, I think $500,000 was spent.

Mr. McCLELLAN. Yes.

Mr. ELLENDER. That will make a total of $2 million which will have been spent on these investigations, but Congress has not done anything else with what has been uncovered. Before any proposed legislation is considered by the Senate, legislation to correct some of the evils discovered by the Senator's select committee, the Labor and Public Welfare Committee will have to reconsider the matter and will probably want to run the whole gamut of hearings again.

Mr. MANSFIELD. I think it should be brought out by the Senator from Arkansas that he will try to bring the work of the select committee to an end this year.

In my opinion, no money appropriated by the Senate has been better spent. So far as proposed legislation is concerned, the Senate had before it last year the Kennedy-Ives bill, which passed this body by a vote of 88 to 1, directly as a result of the hearings held by the select committee, of which the distinguished Senator from Arkansas is the chairman.

Mr. ELLENDER. But what finally became of the bill?

Mr. MANSFIELD. It passed the Senate by a vote of 88 to 1.

Mr. ELLENDER. But it did not become law.

Mr. MANSFIELD. If politics had not entered in, the bill would be law today.

Mr. ELLENDER. Before that bill was considered by the Senate, the Senator from Massachusetts [Mr. KENNEDY] and other Senators had to spend much time in going over much of the same ground that was covered in the hearings held by the select committee headed by the Senator from Arkansas.

Mr. MANSFIELD. Exactly; there is nothing like being certain.

Mr. McCLELLAN. The Committee on Labor and Public Welfare—the legislative committee—does not need to go over the same ground which the select committee covers. The select committee develops the facts. We bring out the evidence and make a record of testimony given under oath concerning practices and actions, and we state what appears to be wrong.

The legislative committee undertakes to draft language to deal with conditions which are developed in the record made by the select committee. The legislative committee gets evidence, in an advisory capacity, as to the nature of legislation which is needed to correct the evils. It does not necessarily develop the facts, as the select committee is expected to do, to bring to light the conditions which prevail in this area of our economy and our national life, and which possibly need correction.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the morning hour has concluded.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed with its consideration of these resolutions.

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

Mr. ELLENDER. Mr. President, does the Senator from Arkansas not agree that since the select committee has been dealing with this matter for more than 2 years, it should already be in the best possible position to recommend remedial legislation to the Congress?

Mr. McCLELLAN. But this committee does not have that authority.

Mr. ELLENDER. I understand that it does not have authority to report legislation to the Senate, but it seems to me that it should be able to recommend, to propose, legislation.

Mr. McCLELLAN. If it were given that authority, certainly the committee would be trespassing upon the prerogatives of one of the regular, standing committees.

This committee has the right and duty to recommend, and it actually does recommend, the areas in which legislation should be enacted to correct the conditions which we find to exist.

Mr. ELLENDER. I simply desire to reemphasize to the Senate that the creation of such select committees is very expensive; and the sad thing is that much of the work done by these committees goes unheeded. Furthermore, if any proposed legislation were to be submitted, it would have to be submitted to the committees which have jurisdiction over the subject, in this case, the Committee on Labor and Public Welfare.

As I have said, by the end of this year we shall have spent in excess of $2 million to hold hearings on these labor-management matters; but up to now, unfortunately, the Congress has not acted upon them.

I am very hopeful that my good friend from Arkansas will be able to conclude hearings of the select committee this year, thus saving much money. In my judgment, $75,000 to hold hearings on a subject that has been explored for 2 years is not chicken feed.

Mr. McCLELLAN. Mr. President, no Member of the Senate is more anxious than I am to conclude this work. It is not pleasant work. What I am about to say is not a condemnation of the labor movement, nor is it a condemnation of business; but our committee has been working in a field in which, in some areas and in some unions and in some businesses, the underworld element of the country is using the legitimate purposes of the unions and labor organizations and businesses and business associations as a front, a clock, a cover-up, and a vehicle by means of which to ply its nefarious practices; and that is growing, not diminishing. This committee is exposing it. That is not easy to do. Fortunately, we have had a trained staff. I believe we have assembled one of the best staffs in the country, and we have been able to make exposures which I think have shocked the sense of decency and morality of the whole country.

It is the duty of the Congress to legislate, let me say; and if the Congress fails to do so, it will be derelict in the performance of its duty; and much of this money will have been spent in vain and uselessly unless the Congress measures up to its responsibility.

But if the Congress does measure up to its responsibility—and certainly all of us hope it will, and I believe it will—

the money which has been spent for this committee will be one of the best investments ever made in the security of this country, in my judgment.

Mr. President, I have stated that no one is more anxious than I am to get through with this job. I say to my colleagues that this work requires two-thirds of my time. In doing this job, the work is taxing, exacting, and at times most exasperating, because of the character of the persons with whom we have to deal in some of the investigations. They are not easy to deal with. Some of them are among the smartest criminals in the country. It is not easy to sit on the committee and look them in the eye and try to compel them to answer, so as to get the facts on the record.

I wish to get through with the work. If I thought we could quit now, I would be the first on this floor to say, "Let us stop." But I know we now have ahead of us a backlog of work which will be of interest to the Congress, and, in my judgment, will call for the enactment of legislation.

I am doing this work as best I can. I believe the record speaks for itself, Mr. President; I do not think I need comment further.

Mr. ELLENDER. Mr. President, far from being desirous of criticizing the work of my good friend, the Senator from Arkansas, I believe, as I stated last year, that he is doing work far beyond the call of duty. There is no doubt of that.

What I am complaining about is the meager actual results of all this fine work. Hearings have been held. The select committee has made its findings known. But the Congress is in the same old rut. We have not done anything to correct any of the wrongs discovered by the select committee.

Let me also ask whether any new facets of the labor-management problem will be investigated this session that were not investigated last session or the session before that.

Mr. McCLELLAN. Yes, some were; there is no doubt about that. Some of the testimony and some of the cases will be cumulative. That cannot be avoided in laying a foundation.

I have stated that I think the committee should end in another year; and I am going to do my best to end it. But I think that whenever the committee stops its work, there will be a vacuum, and something should take over and should carry on.

This matter is most serious. Some day I shall make a little speech here, and shall say to my colleagues how serious I believe it is.

Of the four great dangers today to America and her destiny, the racketeering and the world of crime that have infiltrated the labor-management relations field certainly constitute one.

Mr. ELLENDER. Is that not a matter for the Department of Justice?

Mr. McCLELLAN. And additional laws must be enacted in that connection.

Mr. ELLENDER. That is what I have been saying. Of course, the select committee has exposed the swindling, the racketeering, and all the other evils which exist in some phases of labor-management relations. But nothing has been done about these revelations. I am very hopeful, I say to my friend from Arkansas, that these hearings will be soon concluded, and that the Congress will be in a position to enact laws in order to correct the evils brought to light. I think it is time to do so. In my humble judgment, we have at hand sufficient information to enable us to carry on. My point is that in too many instances investigating committees lapse into continuing bodies whose principal activity is not the securing of information but the continuity of existence. For one good example, just consider the juvenile delinquency study resolution which we shall consider in a few moments. Let me relate to my good friend, the Senator from Arkansas, the history of this subcommittee of the Judiciary Committee. It was begun in 1953; and we were told that the original appropriation of $75,000 would be sufficient to do the job. But the committee has perpetuated itself from year to year, until it has spent more than $600,000; and now it is requesting even more.

My objection is that when these special subcommittees are organized, there does not seem to be any end to them. Monetary requests for them are made year after year. We have used more and more money for the carrying on of investigations; but I find that little or no legislating is done in these fields, and certainly the evils of which the committees complain are not being cured. In fact, if I correctly understand my good friend, J. Edgar Hoover, they are now worse, instead of better.

Mr. McCLELLAN. I join my distinguished colleague in calling upon this body and in calling upon this Congress to enact remedial legislation in this session which is indicated from the record of the hearings.

Mr. President, I ask for the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 44) was agreed to.

INVESTIGATION BY COMMITTEE ON GOVERNMENT OPERATIONS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Order No. 12, Senate Resolution 43.

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read the resolution, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized from February 1, 1959, through January 31, 1960, to make investigations into the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds, in transactions, contracts, and activities of the Government or of Government officials and employees; and any and all such improper practices between Government personnel, and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals, or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided,* That in carrying out the duties herein set forth, the inquiries of this committee shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government; (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis such technical, clerical, and other assistants and consultants as it deems advisable: *Provided further,* That the minority is authorized to select one person for appointment and the person 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 head of the department or agency concerned, and of 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. 2. The expenses of the committee under this resolution, which shall not exceed $220,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. McCLELLAN. Mr. President, Senate Resolution 43, now before the Senate for consideration, is for the purpose of supplying funds for the continued operation of the Permanent Subcommittee on Investigations of the Committee on Government Operations. The work of the subcommittee during the past year is recorded in detail in the annual report of the subcommittee, which was filed today. This report shows that during the past year the subcommittee hearings concerned the operations of many governmental agencies, including the Department of Defense, the Department of the Army, the Department of the Air Force, the Department of State, the Post Office Department, the Federal Trade Commission, and the International Cooperation Administration. One of these hearings concerned the relationship of the Air Force to the Civil Air Patrol. As a result of the work of the subcommittee, two senior officers of the Civil Air Patrol were suspended. They were later dismissed from the CAP and the District Attorney for New York City will shortly present the matter to a grand jury. In addition, changes of substance were made in the bylaws of the Civil Air Patrol, giving for the first time authority to the Air Force to make needed investigations concerning the financial structure of that organization and to better police the millions of dollars of Air Force property used by the Civil Air Patrol.

It is anticipated that large savings will result to the Government as a result of this particular hearing alone.

Language has been added to the subcommittee's resolution this year for the purpose of spelling out in more detail its precise jurisdiction. Under the Legislative Reorganization Act of 1946 and Rule XXV of the Standing Rules of the Senate, the Permanent Subcommittee on Investigations of the Committee on Government Operations is given the duty of studying the operation of government activities at all levels with a view to determining its economy and efficiency. The subcommittee's jurisdiction is not set forth in any further detail than this general language. The subcommittee feels that the additional language in this resolution is necessary in view of the ruling of the U.S. Court of Appeals in *Brewster* v. *The United States*, 25 F. 2d. 899. I have already reported the impact this decision has had on the operations of the Permanent Investigations Subcommittee in a floor speech reported in the CONGRESSIONAL RECORD, volume 104, part 7, page 9443.

Frank Brewster, a west coast Teamster official, had been convicted of contempt of Congress in refusing, on jurisdictional grounds, to answer questions before the Permanent Investigations Subcommittee. He appealed and the conviction was reversed by the Circuit Court of Appeals for the District of Columbia on April 15, 1958. Thereafter the Supreme Court of the United States denied a writ of certiorari which had been prepared by the Department of Justice. The Brewster decision was a close one. The Court split 2 to 1. There was a strong dissent written by former Supreme Court Justice Stanley Reed, who stated:

> Congress alone has the authority to decide the scope of a committee's jurisdiction. * * * Such a judicial supervision of legislative procedure as this decision imposes is, in my opinion, not only an invasion of legislative prerogatives but hampers congressional investigations.

I heartily concurred in Mr. Justice Reed's remarks. However, the majority opinion questioned whether the Senate as a body had properly granted the Committee on Government Operations the authority to conduct these types of investigations. It held that "it is not at all clear that the power to investigate the misuse of union funds inheres in the committee's duty." The Court expressed doubt as to the subcommittee's jurisdiction because of the vague and general language which sets forth the duties of the subcommittee in rule XXV of the Standing Rules of the Senate.

Under this decision, the permanent Subcommittee on Investigations has found itself unduly burdened in attempting to carry out the duties assigned to it by the Senate. The decision has the effect of stripping the subcommittee of any need for subpena power, and would surely have prevented the proper presentation to the Senate of many important cases in recent years, including the five percenter hearings, which delved into the operations of middlemen and their influence in obtaining Government contracts. There could have been no conviction of persons such as John Maragon, Harry Lev, and others. The subcommittee could not have investigated the sale of post office jobs in the State of Mississippi, nor could it have investigated properly the leaks of important decisions by the Civil Aeronautics Board. It could not have made its study of Communist infiltration of defense plants, nor could it have obtained the great savings which resulted to the Government from its investigation of clothing procurement practices in the military services. The millions of dollars which have been saved by the work done by this subcommittee could not have been saved had this decision been written some years ago. Unless the jurisdiction of the subcommittee is made clear, it is doubtful whether it will be able to continue as an effective arm of the Congress in seeking out and reporting all forms of fraud, corruption, and inefficiency.

There is no doubt in my mind that the subcommittee always possessed the jurisdiction set forth in the proposed resolution now under consideration. In my view, it is merely a restatement, clarification, and elaboration of the existing jurisdiction grant contained in rule XXV. However, regardless of my personal view as to what the subcommittee's jurisdiction may have been in the past, adoption of the proposed resolution will make it manifestly clear to the courts in the future, that it is the intent of the Senate that his group look into the matters set forth in the resolution.

On March 1, 1941, by Senate Resolution 71 of the 77th Congress, 1st session, there was created a special committee to investigate the national defense program. Senator Harry S. Truman was appointed chairman. Its jurisdiction extended generally to a complete study and investigation of the national defense program, including procurement and construction, contracts, utilization of small business facilities, contractor accounting, labor and management practices, and such other matters as the committee deemed appropriate. This special committee exercised a broad jurisdiction during World War II, and supplanted the approximately 100 special committees which were set up during World War I to perform similar functions.

In 1946 the Congress passed the Legislative Reorganization Act. One of the principal purposes of this act was to amend the Standing Rules of the Senate so as to diminish the number of standing committees and special committees and provide procedural guidelines for the resultant greatly diminished number of committees.

Early in 1948 the special committee investigating the national defense program was terminated. There was immediately formed by the Government Operations Committee its Permanent Subcommittee on Investigations. Almost the entire staff of the then terminating War Investigating Committee was integrated into the new Investigations Subcommittee. The extensive files of the War Investigating Committee were integrated fully. In summary, the old committee continued on with a new name and continued to do the same type of work. The chief clerk and some of the professional staff still serve in identical capacities today.

Section 102 of the Legislative Reorganization Act of 1946 amended the Standing Rules of the Senate, sharply limited the number of standing Senate committees, and regrouped the jurisdictional areas of them. For each of the standing committees there was spelled out those matters of proposed legislation and other things which should be referred to the committee. These matters were stated subjectively. Under the new rules duties were assigned to only two committees. The Committee on Rules and Administration was given certain administrative functions concerning the assignment of office space and the examination and forwarding of bills to the White House for signature. The Government Operations Committee was the only other committee to which specific duties were assigned. Among these was the duty of "studying the operation of Government activities at all levels with a view to determining its economy and efficiency."[1] Thus, while other committees were assigned subjective jurisdiction, this committee was given functional jurisdiction.

Senate Report No. 1400, 74th Congress, 2d session, is the report which accompanied the original draft of the Legislative Reorganization Act of 1946 (S. 2177). Pages 12 through 17 contain a detailed analysis of every type of legislative matter that could be conceived in the minds of the drafters. In the entire six pages of finely printed material there is only one instance where there was no then existing counterpart of the type of jurisdiction proposed to be conferred. That instance was in those sections of the functional duties imposed upon the Government Operations Committee, page 13.

For the past 17 years the subcommittee and its predecessor has at all times been the major and at times the only organization of trained professional investigators maintained by the Senate. As stated in its first annual report, the subcommittee "has considered itself to be an investigative service organization for the Senate."[2] The subcommittee serves the Senate in those areas where other committees do not have the trained force or facilities to conduct investigations. Other committees have often assisted this subcommittee in its investigations.

In attempting to determine the intent of the Senate in giving its grant of jurisdiction to the Government Operations Committee, weight must be given to arguments which preceded the passage of the bill.

During the floor debates which preceded the passage of the Legislative Reorganization Act of 1946, very little reference was made to the proposed jurisdictional grant to the Government Operations Committee. In the CONGRESSIONAL RECORD, volume 92, part 5, page

[1] Sec. 102, Legislative Reorganization Act of 1946, Public Law 753, 79th Cong., 2d sess., 60 Stat. 814, 816; Standing Rules of the Senate, Rule XXV, sec. (g) (1) (B).

[2] Rept. No. 5, 81st Cong., 1st sess., p. 2.

6371, the discussion centered on the work which had been done by the Truman committee during World War II as opposed to the approximately 100 special committees which had been organized to investigate similar matters in World War I. On page 6372 Senator HILL stated that—

The pending bill gives to the [Government Operations Committee] a more important status than it has had and arms it with facilities for its work that it has not had in the past.

Senator HILL continued:

I believe the bill will give to that committee a jurisdiction and a responsibility and an emphasis which it certainly has not had in the past, and will make it a committee which will look into many matters and will cover many subjects which it has not been able to handle in the past. By virtue of handling them, it will eliminate the need we have had in the past for some of the special committees.

Senator La Follette, who was the floor manager of the bill, and who was answering queries of the proposed sections, concurred with Senator HILL.

As stated above, upon the passage of the Legislative Reorganization Act of 1946, the general investigative work for the Senate was being done by the special committee investigating the national defense program and was continued by its successor, the Permanent Investigations Subcommittee. A few days prior to the activation of the Permanent Investigations Subcommittee, Senator ALEXANDER WILEY, then chairman of the Senate Committee on the Judiciary, appeared before the Committee on Government Operations and said: [3]

I understand it is presently contemplated that your committee will have created in its jurisdiction an investigational subcommittee to handle matters of investigation for all of the standing committees. This move is in accord with the recommendation previously made by me and I should like to observe that this appears to be a businesslike step since most of the standing committees, including the Judiciary Committee, are unequipped to handle investigations.

Except by its annual grant of funds to maintain a professional staff, and by its adoption of contempt citations against certain of its witnesses, the full body of the Senate has rarely expressed itself on the subject matter of this subcommittee's jurisdiction. That a jurisdictional overlap does exist in the function of the Senate Investigations Subcommittee is quite clear. It has been the subject of some debate. On May 27, 1948, a considerable part of the day on the Senate floor was given over to a discussion of a resolution to investigate the Voice of America. This was shortly after the passage of the Legislative Reorganization Act of 1946 and a great number of Senators took part in the discussions and expressed individual views. The proceedings are recorded in the CONGRESSIONAL RECORD, volume 94, part 5, pages 6552–6562. The following are excerpts from the floor debate. Numbers in parentheses refer to pages of the CONGRESSIONAL RECORD for May 27, 1948:

Senator BARKLEY. I understand that the Committee on Expenditures in the Executive Departments may have overall jurisdiction to investigate expenditures in all departments, regardless of the particular committee from which the legislation upon which the investigation is based may have emanated (p. 6553).

Senator AIKEN. The law clearly authorizes the Committee on Expenditures in the Executive Departments to make investigations of any agencies of Government at all levels (p. 6557).

Senator FERGUSON. The Senate Committee on Expenditures in the Executive Departments has undertaken to organize a staff so that the committee may take on the burden of investigations for the Senate (pp. 6558–6559).

Senator BREWSTER. Mr. President, I think much good may come out of this discussion, which may seem to have taken a great deal of the time of the Senate at a very congested period. Yet, the fundamental question here is one which ultimately must be resolved. There is no question that under the phraseology of the Reorganization Act and under one theory of its approach there is not a single subject which is not within the purview and jurisdiction of the Committee on Expenditures in the Executive Departments. That point has been repeatedly made (pp. 6558–6559).

Senator BARKLEY. * * * The Committee on Expenditures in the Executive Departments or of the subcommittee of which the Senator from Michigan is chairman [has] authority under the law [to] investigate the economical or efficient expenditure of money in any department. That is the purpose for which the committee was created (p. 6560).

Senator BARKLEY. * * * It is unfortunate * * *. But I was never more sincere in my life than I am in the assertion that the proposition, which is purely a parliamentary matter, as to which committee shall receive the resolution, in no way impinges upon or will impinge upon the jurisdiction of the Committee on Expenditures in the Executive Departments to investigate any department it sees fit to investigate (p. 6560).

On the subject of the subcommittee's concurrent jurisdiction with the jurisdiction of other committees, it is very interesting to note that in extensive hearings held in 1952 on the sale of Government-owned tankers, the following statement was made by the then chairman, Clyde R. Hoey:

Last year the subcommittee on RFC of the Senate Committee on Banking and Currency received testimony that a group headed by Joseph E. Casey had acquired eight tanker vessels from the Maritime Commission. After the RFC Subcommittee had taken some testimony in connection with these tanker transactions, it decided that further investigation in this case was beyond the scope of its jurisdiction. For that reason Senator FULBRIGHT, the chairman of the RFC Subcommittee, referred this case for further investigation to this subcommittee. At about this same time last year the Senate Committee on Interstate and Foreign Commerce was also making preliminary inquiries in the case and the chairman of that committee also made available to us the results of his inquiry. (Hearings, Feb. 18, 1952, p. 1.)

In regard to the foregoing, it is interesting to note that a principal witness before the RFC Subcommittee declined to answer questions relating to certain questionable transactions relative to the purchase of ships in the Maritime Commission on the grounds that such an inquiry was beyond the scope of the subcommittee's jurisdiction—hearings before the Subcommittee on Banking and Currency, U.S. Senate, 82d Congress, 1st session, part III, page 1652. Commenting on this position, Senator J. WILLIAM FULBRIGHT, chairman of the RFC Subcommittee, observed:

As I understand you here this morning, you only object to this committee going into it because it is not within the province of the resolution passed, giving us authority to conduct the present investigation, but under a proper authorization of the proper committee, you concede that this is a proper matter for investigation.

After further discussion of the issue raised by the witness, the following colloquy occurred:

Senator FULBRIGHT. * * * I would assume that under your theory you will not contest the jurisdiction of the Committee on Expenditures which has a broad authority to inquire into this, would you?

Mr. CASEY. No.

The Permanent Subcommittee on Investigations is the investigative arm of the Committee on Government Operations. The standing committees of the Senate are not primarily investigative in nature, but basically deal with legislation. Other investigative subcommittees are by their nature restrictive, such as the Preparedness Subcommittee of the Armed Services Committee, and the Internal Security Subcommittee of the Judiciary Committee. Therefore, as a practical matter, the Permanent Investigations Subcommittee, which must look into the efficiency and economy of the executive branch of the Government, does, in fact, and necessarily must, overlap virtually every standing committee of the Senate but only in the field of investigation as such.

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

Mr. McCLELLAN. I am glad to yield.

Mr. ELLENDER. As I understand, the pending resolution entails an expenditure of a larger sum than that spent last year.

Mr. McCLELLAN. This one does, because, as the Senator from Louisiana knows, there was an increase of 10 percent in salaries. In the previous resolution I did not make such a request, because, as I told the Senator, we wanted to taper off. As we concluded public hearings, we began to taper off the staff.

Mr. ELLENDER. Does that mean that the same number of employees, attorneys, and investigators as are now employed will be employed during the coming year by the subcommittee?

Mr. McCLELLAN. That is right.

Mr. ELLENDER. There is no reduction contemplated?

Mr. McCLELLAN. That is right. It is the permanent subcommittee that took over the Truman committee.

Mr. ELLENDER. This clearly shows that the committee is the same one which was organized when Mr. Truman was in the Senate. In my judgment he probably became President as a result of the creation of the committee. It just shows what I said a moment ago—these

[3] Hearings before the Committee on Expenditures in the Executive Departments, U.S. Senate, 80th Cong., 2d sess., on Evaluation of the Legislative Reorganization Act of 1946, p. 254.

committees and resolutions never die; they keep on.

Mr. McCLELLAN. May I point out to the Senator that the subcommittee was designed to be a permanent subcommittee, by its very nature.

Mr. ELLENDER. I understand that, but the Senator must not forget that in addition to the $220,000 he is asking for now, his committee also receives regular budget of $123,000.

Mr. McCLELLAN. The Senator is talking about the full committee.

Mr. ELLENDER. Yes.

Mr. McCLELLAN. Which is not out of line, in any sense, as compared with what other committees obtain.

Mr. ELLENDER. Oh, no. The biggest offender in the spending of money for investigations is the Committee on the Judiciary. The Judiciary Committee receives $123,000 or $124,000 for its regular operations. Aside from that amount of money, the committee is now asking for a sum of $1,300,000. The committee of the Senator from Arkansas is a piker compared to what the Committee on the Judiciary is asking.

Mr. McCLELLAN. I do not want to amend the resolution. I do not want to ask for an increase. I do not need an increase.

Mr. ELLENDER. We have had investigations going on from year to year. I wonder if my distinguished friend from Arkansas can tell me—in light of the investigations that he has conducted over the past 10 years—has anything new been developed?

Mr. McCLELLAN. I can say to the distinguished Senator that in many instances we have uncovered graft, corruption, waste, extravagance, and have had those conditions corrected. Last year, as a result of the work of the committee, an extensive program has been launched by the Air Force with respect to the purchase of parts and supplies to bar excessive requirements in different places. Some of those supplies went into waste; some were actually buried underground.

I think the committee is an arm of the Senate that we would not want to do without. If anything ever paid for itself in dollars and cents, and resulted in savings to this Government and the country, this committee has. Not only that, but we have stopped fraud and graft in the procurement of supplies.

Mr. ELLENDER. The committee has stopped it?

Mr. McCLELLAN. We have stopped it in some places. There is no doubt of it, because we have sent the offenders to the penitentiary. Those persons are not engaging in graft any more. There may be others who, engaged in graft, are in other places. For that reason I think the committee ought to continue to look into such questions.

Mr. ELLENDER. As the Senator from Arkansas knows, the Senate authorized $190,000 just a few minutes ago for the Preparedness Subcommittee of the Armed Services Committee. I believe in the past that subcommittee uncovered evidence of graft in the construction of military housing. Is there any conflict between the work of the committee of the Senator from Arkansas and the Armed Services Subcommittee, which also looked into the same matters?

Mr. McCLELLAN. Under the authority establishing the committee, it is charged with the duty of making a study of Government at all levels, with respect to economy and efficiency. That committee overlaps all other committees of the Congress. Any question which a standing committee can investigate, in my judgment, this committee also can. The jurisdiction of the committee so provided. The legislative committees do not necessarily have investigating staffs. As a rule, they do not. I understand the purpose of creating the subcommittee and making it permanent was that it might perform investigation service for all the other committees. I think that is a true picture of its purpose. I did not help create the committee. It is possible I did, as I was a Member of the Senate; but I had no personal interest in it.

Mr. ELLENDER. So the Senator from Arkansas is of the belief that there can be no reduction of funds for these investigations?

Mr. McCLELLAN. The Senate can cut them all out.

Mr. ELLENDER. I am talking about this particular committee. Does the Senator from Arkansas believe it is entirely necessary that the entire sum of $220,000 be provided, when only $200,000 was used last year?

Mr. McCLELLAN. Of course, the Senator from Louisiana understands the additional request is made because of an increase in salaries which was provided.

Mr. ELLENDER. Yes.

Mr. McCLELLAN. We cannot help that.

Mr. ELLENDER. I thought the Senator from Arkansas might absorb that additional cost, as he did in the previous request.

Mr. McCLELLAN. If I can, I will do so. I may point out to the Senator from Louisiana that the subcommittee pays for itself hundreds and hundreds of times over the money it spends. In a foreign country we saved approximately one or two million dollars as a result of the committee's work, which will pay for the cost of the committee for 10 or 15 years. The committee is that important. It belongs to the Senate. If the Senate wants it, it should provide funds for its work If it does not want the committee, it should not.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 43) was agreed to.

MEMBERSHIP ON JOINT COMMITTEES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 9, Senate Resolution 68.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 68) providing for members on the part of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Georgia [Mr. TALMADGE] may be granted as much time as he desires to make an address to the Senate, because the Senator has been waiting patiently since 12 o'clock to make some remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

MINIMUM QUALIFICATIONS FOR APPOINTMENT TO THE SUPREME COURT OF THE UNITED STATES

Mr. TALMADGE. Mr. President, the Constitution of the United States sets forth specific qualifications which must be met by those desiring to serve as President or Members of either of the two Houses of Congress.

But it is completely and strangely silent on the question of the qualifications which should be possessed by Justices of the Supreme Court of the United States.

Section 2 of article II specifies that Justices shall be appointed by the President by and with the advice and consent of the Senate.

Section 1 of article III provides that Justices shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office.

Those are the only references in the Constitution to the office of Justice of the Supreme Court of the United States.

And the only logical conclusion which can be drawn therefrom is that there is no legal limitation upon the President as to the background and experience of those he nominates to serve on the bench of the Nation's Highest Tribunal.

He could appoint a plumber.

He could appoint a high-school student.

He could appoint an alien.

Or he could appoint himself.

The failure of the framers of the Constitution to require that particular qualifications be possessed by the principal jurists of the country was a source of grave concern to the citizens to whom it was submitted for ratification. The people foresaw great danger to the Republic in a wide-open Federal judiciary composed of handpicked judges appointed for life and exercising power limited only by whatever exceptions Congress might choose to make.

Had it not been for the soothing assurances of Alexander Hamilton, that point well might have jeopardized approval of the Constitution. But Hamilton called such fears a phantom and maintained that there were so few men with sufficient skill in the laws to qualify them for the station of judges that the public could count on the selection of judges possessing those qualifications which fit men for the stations of judges.

Until the last quarter of a century, Hamilton's assurances held true. But for the past 25 years we have seen the fears of the early citizens of this Republic realized.

We have seen men appointed to the High Tribunal totally devoid of any of the tributes which Hamilton would have considered to "fit men for the stations of judges."

We have seen appointments made on the basis of political persuasion rather than the qualifications of the appointees.

The great mischief done by the resulting revolutionary innovations in constitutional law is evidenced by the growing demand throughout the Nation for Congress to enact legislation restoring the Supreme Court to its appointed constitutional role.

To illustrate my point, Mr. President, let us look at the present composition of the Supreme Court.

Of the nine Justices, only five have had any judicial experience and one of those received his experience as a police court judge. With the exception of Justice Brennan, none of the Justices had prior judicial experience of more than 5 years.

Only two of the nine Justices ever served as judge of a State or Federal court of general jurisdiction.

Only one of the nine Justices ever served as judge of a State appellate court.

Only three of the nine Justices ever served as judge of a Federal appellate court inferior to the Supreme Court.

The backgrounds of the other Justices are ones of Governor, Attorney General, Government official, and professor.

A majority of the members of the present Court did not even devote their major efforts to the professional practice of law before they were appointed to the bench.

It is small wonder then, Mr. President, that the Supreme Court in recent years has been totally lacking in the restraint which must be inherent in the judicial process if judges are to adjudicate the cases and issues before them in the light of the Constitution, the law and precedent rather than their personal prejudices or political opinions.

The importance and necessity for judges to be possessed of restraint inherent in the judicial process was magnificently stated by a Member of this body—the learned and distinguished senior Senator from North Carolina [Mr. ERVIN], who himself is a graduate of the bench—in an address before the Texas bar in 1956. I would like to read from his remarks as follows:

> What is the restraint inherent in the judicial process? The answer to this query appears in the statements of Hamilton. The restraint inherent in the judicial process is the mental discipline which prompts a qualified occupant of a judicial office to lay aside his personal notion of what the law ought to be, and to base his decision on established legal precedents and rules.
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> How is this mental discipline acquired? The answer to this question likewise appears in the statements of Hamilton. This mental discipline is ordinarily the product of long and laborious judicial work as a judge of an appellate court or a trial court of general jurisdiction. It is sometimes the product of long and laborious work as a teacher of law. It cannot be acquired by the occupancy of an executive or legislative office. And, unhappily, it can hardly be acquired by those who come or return to the law in late life after spending most of their mature years in other fields of endeavor.
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> The reasons why the mental discipline required to qualify one for a judicial office is ordinarily the product of long and laborious work as a practicing lawyer, or as an appellate judge, or as a judge of a court of general jurisdiction are rather obvious. Practicing lawyers and judges of courts of general jurisdiction perform their functions in the workaday world when men and women live, move, and have their being. To them, law is destitute of social value unless it has sufficient stability to afford reliable rules to govern the conduct of people, and unless it can be found with reasonable certainty in established legal precedents. An additional consideration implants respect for established legal precedents in the minds of judges in courts of general jurisdiction and all appellate judges other than those who sit upon the Supreme Court of the United States. These judges are accustomed to have their decisions reviewed by higher courts and are certain to be reminded by reversals that they are subject to what Chief Justice Bleckley of the Supreme Court of Georgia called the fallibility which is inherent in all courts except those of last resort if they attempt to substitute their personal notions of what they think the law ought to be for the law as it is laid down in established legal precedents.

Mr. President, the fact that a man may possess a brilliant intellect, have fine attributes of character, and be actuated by the loftiest of motives does not necessarily qualify him to serve as a judge. Men who are excellent teachers, successful executives, and outstanding legislators do not automatically possess those characteristics which shape the temperament of a true judge.

Regardless of how one may feel about given decisions of the Supreme Court, any fair-minded person will agree that its present members are gentlemen of notable attainment and outstanding accomplishments in their fields. But the fact nevertheless remains that the majority of them have not labored as practicing lawyers or as judges in State and Federal courts inferior to the Supreme Court. Consequently, events have found them either unable or unwilling to subject themselves to judicial restraint or to sublimate their own beliefs and conclusions to the provisions of the Constitution and the laws of the land.

For the past 25 years the Senate has made little use of its constitutional power to advise with and consent to the appointments of Supreme Court Justices by the President. By and large, confirmations have been made without record votes.

It is more than passing strange to note, Mr. President, that the degree of judicial usurpation of legislative power has been in the same proportion that the Senate has failed to exercise its power and responsibilities with respect to the confirmation of Justices.

Congress has the power to restore the Court to its proper function, not only through the limitation of its jurisdiction but also under paragraph 18, section 8, article I of the Constitution which provides:

> The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

It is under authority of that paragraph, Mr. President, that I today introduce for appropriate reference and consideration a bill proposing the addition of a new paragraph to section 1 of title 28 of the United States Code. That new paragraph would read as follows:

> No person shall be appointed after the date of enactment of this paragraph to the office of Chief Justice of the United States or to the office of Associate Justice of the Supreme Court unless, at the time of his appointment, he has had at least 5 years of judicial service. As used in this paragraph "judicial service" means service as an Associate Justice of the Supreme Court, a judge of a court of appeals or district court of the United States, or a justice or judge of the highest court of a State.

Since the Constitution is silent as to the qualifications which Justices should possess, Mr. President, I feel it is incumbent upon Congress to bind the Chief Executive by at least minimum requirements which must be met by his appointees to the Nation's highest bench.

Since Congress already has acted to determine the number of Justices who sit on the Court, the amount of their salaries, the conditions of their retirement, and the number of their assistants, surely it is not unreasonable that it now should take steps to make certain that the Justices themselves are possessed of the tempering influence of detached consideration of legal problems which can be attained only through the highest type of judicial experience.

I do not believe anyone will dispute the fact that it is in the best interests of this Nation and of the Supreme Court that Congress act to assure that Supreme Court Justices henceforth will be selected only from among the country's best available legal talent.

The preservation and maintenance of our constitutional, republican form of government demands such action.

I sincerely hope that it will be forthcoming during this 1st session of the 86th Congress.

I herewith submit my bill and ask that it be read twice and appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 880) to establish qualifications for persons appointed to the Supreme Court, introduced by Mr. TALMADGE, was received, read twice by its title, and referred to the Committee on the Judiciary.

MEDICAL AND HOSPITAL CARE UNDER SOCIAL SECURITY

Mr. MORSE. Mr. President, once again I am introducing a bill designed to help our older people achieve a measure of security against that most dreaded disaster of later life—a serious and expensive illness. I am proud to introduce this part of a measure originally introduced in the House by the Honorable AIME J. FORAND, which will insure the cost of hospital, surgical, and nursing

home care for people eligible for social security benefits.

Mr. President, underlying this approach to the problem of medical costs in the United States is the deep conviction of mine that a democratic society of free people, organized into a government of self-government, cannot justify a situation now prevailing in our country in which millions of our fellow citizens cannot afford to become ill. I mean that sentence in the light of every meaning it implies.

As a society we are failing in our responsibility to our fellow citizens, if we permit a condition to continue in which millions of our fellow citizens—particularly the elderly—cannot afford to become ill.

No one is more aware than the senior Senator from Oregon of what usually happens to a politician when he raises his voice in protest of excessive medical costs. However, the undeniable factual situation is that the cost of becoming ill in the United States today is beyond the ability of millions of American families to pay without doing great damage to the economic future of that family.

Therefore, it is not in criticism of the medical profession that I make this speech. Rather, it is a plea to the American people that they awaken before it is too late to the need for governmental action necessary to bring relief to the millions of American families who are living under the constant fear and specter that a serious, bankrupting illness hovering over the housetops of millions of American homes today may descend to the family hearth.

It makes no difference to me that cries of anguish will go up from the reactionary forces in the country as they distort the position of the senior Senator from Oregon. As my speech will disclose, I am making no plea for so-called socialized medicine. Neither do I join the medical fraternity in raising the hue and cry that any proposal in the Halls of Congress which seeks to meet this great health financing need in America constitutes the bugaboo of socialized medicine.

Mr. President, we can protect the health of America without socialized medicine. We can protect the health of America without continuing to subject millions of our families to the specter of economic bankruptcy when the head of the family or a member of the family is overtaken by serious illness.

INVESTIGATION OF MEDICAL COSTS IN DISTRICT OF COLUMBIA

I intend, so long as I am in the Senate, to continue as I have in the past, to try to meet forthrightly the problem of medical costs in America. Shortly, the subcommittee on Health, Education and Public Welfare of the Committee on the District of Columbia, of which I am chairman, will begin hearings on medical costs in the District of Columbia, because such preliminary information as has been made available to my subcommittee satisfies me that it is a subject matter which deserves some attention from the Committee on the District of Columbia of the Senate. I conducted a short hearing on this problem toward the end of the last session of Congress, and at that time I announced that in this session of Congress my subcommittee would proceed with a detailed investigation.

Today I raise my voice by way of an invitation to the medical fraternity to join us in a mutual endeavor to conduct an objective study of the medical problem and the hospital problem, to the end that we may gather the facts. I say that because we cannot proceed further until we can answer the question: "What are the facts?" Unless we have the facts we cannot answer the next, controlling question confronting every Member of the Senate: "On which side of this issue do the facts show the public interest to be?"

Whenever I am satisfied that the facts have been brought out on an issue, regardless of how controversial it may be, and once I am satisfied on which side of that issue the facts show the public interest to be, I intend to vote for the public interest irrespective of the political implications.

Therefore, I salute Representative Forand for his leadership in seeking to add health insurance to social security benefits. The bill I now offer is the same as the health insurance provisions of his H.R. 9467 of the 85th Congress, and my S. 3508.

Very simply, this proposal means that once a person's eligibility for retirement, survivor or dependent benefits has been established, he will receive a card to present as proof to any hospital, nursing home, or surgeon meeting specific broad standards or professional qualifications. The cost, up to 60 days a year, for any ailment in a qualified hospital will be covered including complete cost of all normal hospital and surgical services if the need for them is certified by a physician. The bill for this care, with the doctor's certification, will be submitted by the hospital to the Department of Health, Education, and Welfare—just as it is now submitted to Blue Cross—and payment will be made from the old-age and survivors insurance trust fund.

Nursing home care up to another 60 days will be paid in the same way if the patient is transferred to the nursing home from the hospital on a doctor's certification, but only those nursing homes can qualify which provide skilled nursing services and are operated in connection with a hospital or under the direction of doctors.

This is not a bill to socialize medicine. It provides only for payment for hospital, surgical, and nursing home care, following the pattern developed by many of our voluntary prepayment plans. The bill specifically states that the Secretary of Health, Education, and Welfare shall have no supervision or control over: First, the practice of medicine or the manner in which services are provided; second, the details of the administration or operation of hospitals or nursing homes; and third, the selection, tenure, or compensation of hospital or nursing home personnel.

One of the results of this legislation would be its salutary effect on the Nation's financially burdened medical facilities, due in part to expenses they must bear in providing free care for indigent patients. By providing reasonable reimbursement for some of these services, we will not only be providing better care for our older citizens, but we will also be improving the financial position of our hospitals and nursing homes so that they can furnish better care for all of us.

I know of no single threat to their security which causes more concern among our older citizens than the fear that their savings will be wiped out, or their married children's income threatened, by the cost of a prolonged or serious illness requiring hospitalization. It is not at all unusual for such medical bills to run as high as $250 for the cost of an operation, $1,100 for 2 months in the hospital and $500 for 2 months of nursing home care.

The letters we all receive from our constituents and the simple facts of our times convince me that Congress has a mandate to act on this proposal.

THE HIGH COST OF MEDICAL CARE

The first fact of our time which we must recognize is that, as the quality of our potential medical care has improved, its cost has also been increasing so drastically that it has become unavailable to many of our older people. The cost of medical care has skyrocketed in the past few years, rising far more than the overall cost of living. Measured by the official Consumer Price Index, the cost of living has increased about 23 percent since the benchmark 1947–49. At the same time the cost of medical care has jumped 44 percent.

There is a rather striking difference between 23 percent and 44 percent in the 2 statistics.

Hospital room rates have more than doubled, surgeon's fees have risen 26 percent and general practitioner's fees have risen 39 percent. Costs of hospitalization have increased for a number of reasons. The improved laboratory services, including the diagnostic and therapeutic equipment which saves lives and shortens hospital stays are very expensive. The reasonable increase in nurses' salaries—which are still too low—is another substantial cost-increase item.

Finally, income from endowments has failed to keep pace with other costs, and—most of all—our hard-pressed hospitals must bear heavy costs for the medical care of people who must have such care but cannot afford to pay for it. Hospital administrators point out that, as matters stand now, the paying hospital patient is carrying a large part of the burden of his indigent fellows.

And anyone who has bought a prescription during the last year can testify to the rising costs of those lifegiving drugs which mean healthier lives for most of us.

Let me digress for a moment. There is a considerable virus epidemic going around which is causing a large amount of absenteeism on the Hill these days. Many doctors are prescribing a little pill. It costs only $1.10. Some of us can afford it. But just think of the man-hours which are lost because those who cannot afford a $1.10 pill every 4 hours, day and night, for the 2 or 3 days the little epidemic seems to run its course, are incapacitated more than 3 or

4 days. I do not generalize; I refer here to specific instances.

This is one of those little humane factors which I would mention in the course of my remarks, because we always come back to the great humane question: Why should there be discrimination among us when it comes to the availability of drugs which will make us well more quickly, irrespective of our economic status in life?

When dealing with a subject as delicate and touchy as this one—and I well know how touchy it is—I try to discuss the fundamental principles of fairplay and decency. Who wants to dispute that it is only fair and decent that in a free society such as ours we should try to make certain that our fellow citizens are not discriminated against in the field of health protection, simply because they do not have the economic means to provide themselves with the same protection which the wealthier among us can afford?

That is a sociological principle. I want the RECORD to show that I said "a sociological principle," not "a socialistic principle," which is involved. This is a sociological problem. It is many other things, too. But the thesis I am advocating today is the thesis I have always thought was basic in our system of self-government, which has for its primary purpose the promotion of the general welfare of all the people of the country, not merely those who can afford to pay, or those who cannot.

Unfortunately, those who can afford to pay for adequate medical care also pay for those who cannot afford it, thanks to a medical practice which is all too common and which, in my judgment, is basically unsound. I shall address myself to that problem later in these remarks.

Americans last year spent more than 10 times as much on prescription drugs as they did in 1939, in spite of the fact that manufacturers' profits and mark-ups at the corner drugstore may not, generally speaking, be too far out of line with other cost increases.

These are some of the reasons why many nonprofit prepaid insurance plans, such as Blue Cross and Blue Shield, have been forced to put into effect rate increases ranging up to 40 percent or more during the last year.

These are the reasons why I am not impressed with the argument that "voluntary insurance can do the job." For if this is the case, voluntary insurance can only provide the kind of adequate health care which our older people are entitled to by sharply increased rates which cut deeply into their already limited purchasing power.

In my opinion, this is a total societal problem. I think it is in the public interest to take the steps necessary to provide health protection, even for those who have the attitude before they are sick that they do not care and are not sufficiently interested to take the steps necessary to prepare for their own protection. All of us have an interest in the health of every person in our land. The lack of health on the part of any segment of our population at any given time is a great national loss.

If you want to talk materialistically with me for a moment, Mr. President, I am perfectly willing to say that one of the facets of this problem is that of protecting our country as a whole from the economic loss of unnecessary illness. There is much illness which lasts longer than it needs to last, because in the initial stages of an illness, people discover that they do not have the economic means which would enable them to take the steps of protection which they ought to take. So they procrastinate, and the economy as a whole suffers a loss.

I call attention to that part of the statement last May of Dr. Aims C. McGuinness, the special assistant to the Secretary of Health, Education, and Welfare, who told the annual meeting of the Middle Atlantic Hospital Association that the one-third of our population not having health insurance of any kind is the group that needs protection most. But I am not impressed with his conclusion that the present administration earnestly believes that voluntary health insurance offers the best means of helping most people meet the costs of health care. This, I submit, is the kind of schizophrenic thinking which has so far delayed the kind of positive action which will bring protection to people who need it.

Nor am I impressed with the solution presented last December by the American Medical Association. The AMA finally recognized that something must be done in this area, and prescribed as their remedy that doctors lower medical fees for older people to help insurance companies and prepayment plans to lower costs for the aged.

This proposal, based on a 4-year study by a 15-man commission, was hailed by one observer as one of the landmarks of 20th century American medical care. I submit that the mountain has brought forth a mouse. Such an answer is like giving an aspirin to a man with a broken bone.

The fact that we cannot apply a 19th century concept of adjusted doctor bills to the mid-20th century is well documented in a recent book entitled "The Doctor Business," written by Richard Carter, which points up the conflict in what he calls the dollar policies of organized medicine. On the subject of adjusted fees, he writes:

> This is hardly a sensible way of doing things, even though organized medicine cherishes it and regards it as essential to American freedom. In the first place, the decision as to who should pay, and how much, is not wisely entrusted to the physician. He has neither the time nor the competence to serve as social investigator, economist, and credit agency. He has all he can do to serve as physician. In the second place, the individual patient is no help. It is unnatural to negotiate from a horizontal position and, in any event, is unseemly to bargain with the man who has just relieved your pain or saved your life. Hence, negotiations seldom take place during illness, even though bills are frequently submitted at that time. After the roses are back in the patient's cheeks and he has a chance to evaluate the bill and consider his equity in the matter, it is usually too late. If he now questions the bill, he is an ingrate, or at least is afraid that he will be called one to his face. For such a patient, it often is easier to skip full payments and switch physicians.

A better solution—for the average doctor, as well as for his older patient—is to remove the economic problem from the sickroom or the doctor's office in the manner prescribed in my bill, for I agree with Mr. Carter that the individual physician of this country is by preference a dedicated scientist and a devoted healer and that his need for relief from the power of organized medicine is as great as the public's.

I believe, too, that our hospitals will benefit from the bill I am proud to sponsor, for, as Prof. Wilbur Cohen pointed out in a recent issue of the Journal of Nursing:

> Hospitals, at the present time, are caught in a tight squeeze. On the one hand, they have long been considered as community nonprofit organizations of a service character and have, thereby, been endowed with a special status under the tax laws. But, to keep their heads above water, they increasingly have had to require potential patients to be able to pay before being admitted. They are thus losing some of their charitable emphasis and become viewed by people in the community as another service institution, albeit still not operated for profit. As they do so, their status in the community is altered by the tendency to demand payment from some source for all service rendered. There is widespread recognition of the difficulty of receiving sufficient endowments, community chest contributions and payments from public agencies for the indigent to fully cover the costs of hospital service for those who do not or cannot pay the full cost.
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> The difficult decisions which hospitals are faced with is to refuse to admit those who are not able to pay their full cost, to require someone to pay the full cost on their behalf, or to spread the cost of those who cannot pay over those who can or are willing to pay.

Of course, the figures show that the proportion of our older people who are purchasing their own health insurance is increasing. A recent study by the Health Information Foundation reported that more than three out of every eight persons 65 years of age or over in this country now have some form of voluntary health insurance, and that the proportion of aged persons with such insurance increased about 50 percent from 1952 to 1957. I have studied, too, the data on health-insurance ownerships collected in the national survey of a sample of beneficiaries, conducted by the Bureau of Old-Age and Survivors Insurance in the fall of 1957, which showed that 430 out of 1,000 had some form of health insurance.

But a careful study of these figures shows two important things: One is that the proportion of those having insurance sharply declines as age—and the need for such protection—increases; and the other is that the kind of protection furnished is directly related to income, with the result that those least able to afford expensive medical costs have the least protection. The important thing shown by the figures is the large proportion of people who do not have any insurance protection, not those who do.

Mr. President, let me say this about many of those who have some such form of insurance policy—and this happens to be one of the subjects on which, in my judgement, we need to accumu-

late much more data than that we now have: The data we do have show rather clearly that many of these insurance policies are illusory; they do not provide the propsective patient with the protection he should have.

Once he becomes ill, he finds that in the fine print of many of the policies, many exceptions are set forth; and he finds that the policies do not begin to cover all of his hospital and medical expenses.

Mr. President, one of the complaints which I am receiving, as chairman of the subcommittee of the District of Columbia Committee which has jurisdiction over health matters in the District of Columbia is from persons who think they are insured and then find that since they took out their policies there has been an increase in hospital and medical costs. So they find themselves coming close to paying the same amount of money which they would have paid if they had never taken out such a policy and if medical and hospital costs had not been increased.

That situation concerns many of us. It is always sad to discover a case in which an individual finds he does not have the protection he thought he had. I wish to say to the medical profession and the hospital administrators of the country, "It is not in your interest to let that condition continue," because the result is that when many of these policyholders find they were not covered as they thought they were, because of the increase in costs of medical care and hospital care since they took out their policies, their normal, human reaction is resentment against the medical profession and the hospitals.

Mr. President, I think there is a comity of interests in connection with this problem. There is a mutuality of interest among the doctors, the hospitals, the legislators, and the public to do something about it. From my desk on the floor of the Senate, I say today to the doctors, "Get your heads out of the sand. You must come forward with a program much better than your program of last December." In my judgment the American people will not "buy" it, because it does not meet the medical-cost problems of millions of fellow Americans.

Mr. President, politicians will come and go; and there may be some of us so outspoken on this subject that we may go sooner than others. But this problem will continue with the country until it is solved in the interests of the people of the Nation. Today I respectfully say to the medical profession and to the hospital associations, "You will never be able to stem the growing demand on the part of the American people for adequate service at times of illness, at a cost they can afford to pay."

If the medical profession and the hospital associations of this country think they have much time left to exercise the medical statesmanship it is their duty to exercise, then I file today a respectful dissent, because, as a politician, I talk to too many people in this country for me to develop the type of myopia which seems to characterize the eyesight of most doctors and hospital officials in this country in respect to the matter of medical cost.

I shall always be pleased, Mr. President, to be one who at least was willing, for years, to point out respectfully to the doctors and hospital officials of this country, "You are out of step with a growing public demand," because I am convinced that as surely as the sun rises, the medical profession and the hospital associations in this country are going to have to come forward with a much better program than they have promulgated to date if they are not to be confronted with legislative demands in the parliamentary bodies of the Nation—in the States and nationally—that will make the bill which I am offering today look like a very mild reform.

RETIRED PEOPLE HARDEST HIT BY MEDICAL EXPENSES

And so I say, Mr. President, it is simply economic nonsense to continue to assume that our older people, hard pressed in the best of health to make ends meet on the shrinking purchasing power of the pension dollar, can squeeze enough extra dollars from this meager income to meet the mounting cost of really adequate health protection. Clearly, they cannot.

This logic points, I believe, to the fallacy in the statistics which show that increasing proportions of our older people are purchasing health insurance. For they buy only the kind of insurance they can afford—the kind which comes at a median of $4 a month, and does not provide them adequate protection against the medical problems of their older years.

Under my bill they would pay the premiums on health insurance while still employed and better able to afford them, and would enjoy the benefit of its coverage when they need it most—after retirement.

Not long ago a brief article in the Kiplinger magazine, entitled "How to Read a Health Insurance Ad," suggested some of the pitfalls which may arise in purchasing such protection—particularly at reduced rates. For, as this author points out, some ads may make such flat statements as "We pay your hospital and surgical bills," when in fact they pay only certain ones and within certain limits. Others, which claim to cover "up to $1,500 for hospital expenses," may actually provide payment of a certain room and board charge per day—say $15—for a maximum number of days—say 100—so that for a 10-day hospital stay costing $250, one can collect only $150.

The bill I propose has no such fine print. It has been carefully studied to meet the needs of our older men and women in a responsible way, with the authority of the Government behind it. And one very important provision of the plan is the fact that the cost of this care is paid through the social security tax during the years of working life, rather than during years of retirement, when income is reduced.

In this regard, I am happy to say that the Democratic Advisory Council, in advocating such legislation in its own state of the Union message, has emphasized the fact that this proposal would require a tax increase of one-half of 1 percent, split 50–50 between employers and employees. This would mean a $12 annual tax increase for the worker paying the maximum amount of tax possible under the new $4,800 wage base—and proportionately less for workers who earn less. The protection afforded, I believe, is well worth this modest price.

I do not say—and I do not believe Representative FORAND says—that this bill cannot be improved in some respects. But I do believe that this proposal deserves immediate and serious consideration. The study now being conducted by the Department of Health, Education, and Welfare, at the request of the Ways and Means Committee, may be of some help. But let us not wait upon an administration that is decades behind the times in recognizing and coming to grips with social and economic problems. The Congress has the primary obligation to consider this legislation, to perfect it, and then to enact it.

So far as I am concerned, I shall keep an open, objective mind in regard to any proposals for amendments to my bill which can be substantiated by the facts. I have only one desire, may I say to the medical profession and to the hospital associations, and that is to try to cooperate with them in the development of legislation, which I am satisfied is inevitable, that will remove from the rooftops of the homes of America the hovering specter of fear that the economy of the home may be destroyed if a long, serious illness descends and takes over the body of any member of that home.

Mr. President, this is a humane measure. I referred to it as a sound sociological measure.

I close, before asking to have the bill printed at this point in my remarks, by saying it is also a measure based upon good morals. I happen to believe, Mr. President, it is but an implementation, in this field, of the Golden Rule.

I ask unanimous consent, before I turn briefly to another matter, that my bill on this subject be printed in full at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 881) to amend title II of the Social Security Act and the Internal Revenue Code of 1954 to extend the insurance program established by such title so as to include insurance against the costs of hospital, nursing home, and surgical service, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committe on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title II of the Social Security Act is amended by adding after section 225 the following new section:

"HOSPITALIZATION AND SURGICAL INSURANCE

"Eligibility for insurance

"SEC. 226. (a) (1) The cost of hospital or nursing home services furnished to any individual during any month for which he is entitled to monthly benefits under section

202 (whether or not such benefits are actually paid to him) or is deemed entitled to such benefits under the provisions of paragraph 2, or the cost of such services furnished to him during the month of his death where he ceases to be entitled by reason of his death, and the cost of surgical services which are not of an elective nature, shall, subject to the provisions of this section, be paid from the Federal Old-Age and Survivors Insurance Trust Fund to the hospital, physician, and nursing home which furnished him the services. Services to be paid for in accordance with the provisions of this section include only services provided in the United States.

"(2) For purposes of this section, (A) any individual who would upon filing application therefor, be entitled to monthly benefits for any month under section 202 shall, if he files application under this section within the time limits prescribed in section 202(j) be deemed, for purposes of this section only, to be entitled to benefits for such month, (B) such individual shall, whether or not he files application under this section, be deemed to be entitled to benefits under section 202 for such month for purposes of determining whether the wife, husband, or child of such individual comes within the provisions of clause (A) hereof, and (C) any individual shall, for purposes of this section, be deemed entitled to benefits under section 202 if such individual could have been deemed under clauses (A) or (B) of this paragraph to have been so entitled had he not died during such month.

"(3) For purposes of paragraph (2), an individual's application under this section may, subject to regulations, be filed (whether such individual is legally competent or incompetent) by any relative or other person, including the hospital, physician, or nursing home furnishing him hospital, surgical, and nursing home services and, after such individual's death, his estate.

"(4) Payments may be made for hospital services furnished under this section to an individual during his first sixty days of hospitalization in a twelve-month period that begins with the first day of the first month in which the individual received hospital services for which a payment is made under this section, and during his first sixty days of hospitalization in each succeeding twelve-month period; and for nursing home services furnished under this section to an individual if the individual is transferred to the nursing home from the hospital, and if the services are for an illness or condition associated with that for which he received hospital services: *Provided*, That the number of days of nursing home services for which payments may be made shall, in any twelve-month period as described above, not exceed one hundred and twenty less the number of days of hospital services (in the same twelve-month period) for which payments are made under this section.

"(5) The provisions of section 205 relating to the making and review of determinations shall be applicable to determinations as to whether the costs of hospital, nursing home, and surgical services furnished an individual may be paid for out of the Federal Old-Age and Survivors Insurance Trust Fund under this subsection, and the amount of such payment.

"Description of hospital, nursing home, and surgical services

"(b)(1) For purposes of this section, the term 'hospital services' means the following services, drugs, and appliances furnished by a hospital to any individual as a bed patient: bed and board and such nursing services, laboratory services, ambulance services, use of operating room, staff services, and other services, drugs, and appliances as are customarily furnished by such hospital to its bed patients either through its own employees or through persons with whom it has made arrangements for such services, drugs, or appliances; the term 'hospital services' includes such medical care as is generally furnished by hospitals as an essential part of hospital care for bed patients; such term shall include care in hospitals described in paragraph (1) of subsection (d); such term shall not include care in any tuberculosis or mental hospital.

"(2) The term 'nursing home services' means skilled nursing care, related medical and personal services and accompanying bed and board furnished by a facility which is equipped to provide such services, and (A) which is operated in connection with a hospital, or (B) in which such skilled nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to practice medicine or surgery in the State.

"(3) The term 'surgical services' means surgical procedures (other than elective surgery) provided in a hospital, or in case of an emergency or for minor surgery, provided in the outpatient department of a hospital or in a doctor's office. Surgical services may include oral surgery when provided in a hospital. The term 'elective surgery' means surgery that is requested by the patient, but which in the opinion of cognizant medical authority is not medically required.

"Free choice by patient

"(c) (1) Any individual referred to in paragraphs (1) and (2) of subsection (a) may obtain the hospital or nursing home services for which payment to the hospital or nursing home is provided by this section from any hospital or nursing home which has entered into an agreement under this section, which admits such individual and to which such individual has been referred by a physician or (in the case of hospital or nursing home services furnished in conjunction with oral surgery) dentist licensed by the State in which such individual resides or the hospital or nursing home is located, upon a determination by the physician or dentist that hospitalization or nursing home care for such individual is medically necessary; except that such referral shall not be required in an emergency situation which makes such a requirement impractical.

"(2) Any individual referred to in paragraphs (1) and (2) of subsection (a) may, with respect to the surgical services for which payment is provided by this section, freely select the surgeon of his choice, provided that the surgeon is certified by the American Board of Surgery or is a member of the American College of Surgeons except that such certification shall not be required in cases of emergency where the life of the patient would be endangered by any delay, or in such other cases where such certification is not practicable, and except that, in the case of oral surgery, such individual may select a duly licensed dentist.

"(3) Regulations under this section shall provide for payments (in such amounts and upon such conditions as may be prescribed in such regulations) to (A) hospitals for hospital services rendered in emergency situations to individuals referred to in paragraphs (1) and (2) of subsection (a) by hospitals which have not entered into an agreement under this section, and (B) physicians for surgical services rendered by physicians not certified by the American Board of Surgery or not members of the American College of Surgeons.

"Agreements with hospitals, nursing homes, and providers of surgical services

"(d)(1) Any institution (other than a tuberculosis or mental hospital) shall be eligible to enter into an agreement for payment from the Federal Old-Age and Survivors Insurance Trust Fund of the cost of hospital or nursing home services furnished to individuals referred to in paragraphs (1) and (2) of subsection (a) if it is licensed as a hospital or nursing home pursuant to the law of the State in which it is located

"(2) Each agreement with a hospital under this section shall cover all hospital services included under subsection (b) (which services shall be listed in the agreement), shall provide that such services shall be furnished in semiprivate accommodations if available unless other accommodations are required for medical reasons, or are occupied at the request of the patient, shall be made upon such other terms and conditions as are consistent with the efficient and economical administration of this section, and shall continue in force for such period and be terminable upon such notice as may be agreed upon.

"(3) An agreement with a hospital or nursing home under this section shall provide for payment, under the conditions and to the extent provided in this section, of the cost of hospital and nursing home services which are furnished individuals referred to in paragraphs (1) and (2) of subsection (a): *Provided*, That no such payment shall be made for services for which the hospital or nursing home has already been paid (excluding payments by such individuals for which reimbursement to them by the hospital has been assured); but no such agreement shall provide for payment with respect to hospital or nursing home services furnished to an individual unless the hospital or nursing home obtains written certification by the physician (if any) who referred him pursuant to subsection (c) that his hospitalization or care in the nursing home was medically necessary and, with respect to any period during which such services were furnished, written certification by such individual's attending physician during that period that such services were medically necessary. The amount of the payments under any such agreement shall be determined on the basis of the reasonable cost incurred by the hospital or nursing home for all bed patients, or, when use of such a basis is impractical for the hospital or nursing home or inequitable to the institution of the Federal Old-Age and Survivors Insurance Trust Fund, on a reasonably equivalent basis which takes account of pertinent factors with respect to services furnished to individuals referred to in paragraphs (1) and (2) of subsection (a). Any such agreement shall preclude the hospital or nursing home with which the agreement is made from requiring payments from individuals for services, payment of the cost of which is provided by this section, after it has been notified that the cost of such services is payable from the Federal Old-Age and Survivors Insurance Trust Fund, except that it may require payments from such individuals for the additional cost of accommodations occupied by them at their request which are more expensive than semiprivate accommodations.

"(4) Except as provided by regulation, no agreement may provide for payments (A) to any Federal hospital, or to any other hospital for hospital services which it is obligated by contract with the United States (other than an agreement under this section) to furnish at the expense of the United States, or (B) to any hospital for hospital services which it is required by law or obligated by contract with a State or subdivision thereof to furnish at public expense except where the eligibility of the individual for such services is determined by application of a means test.

"(5) No supervision or control over the details of administration or operation, or over the selection, tenure, or compensation of personnel, shall be exercised under the authority of this section over any hospital or nursing home which has entered into an agreement under this section.

"(6) Agreements under this subsection shall be made with the hospital or nursing home providing the services, but this paragraph shall not preclude representation of such institution by any individual, association, or organization authorized by the institution to act on its behalf.

"(7) The Secretary shall enter into agreements with qualified providers of surgical services as defined in paragraph (2) of subsection (c). Such agreements shall stipulate that the rates of payment agreed on shall constitute full payment for these services. Such agreements may be made with any qualified individual, or with any association or organization authorized by the surgeons, dentists, or physicians to act in their behalf.

"(8) Nothing in such agreements or in this Act shall be construed to give the Secretary supervision or control over the practice of medicine or the manner in which medical services are provided.

"(9) Except to the extent the Secretary has made provision pursuant to subsection (h) for the making of payments to hospitals and nursing homes by a private nonprofit organization or for the making of payments to physicians, dentists, and surgeons by their designated representatives, he shall from time to time determine the amount to be paid to such provider of service under an agreement with respect to services furnished, and shall certify such amount to the Managing Trustee of the Federal Old-Age and Survivors Insurance Trust Fund, except that such amount shall, prior to certification, be reduced or increased, as the case may be, by any sum by which the Secretary finds that the amount paid to the provider of services for any prior period was greater or less than the amount which should have been paid to it for such period. The Managing Trustee prior to audit or settlement by the General Accounting Office, shall make payment from the Federal Old-Age and Survivors Insurance Trust Fund, at the time or times fixed by the Secretary, in accordance with such certification.

"Nondisclosure of information

"(e) Information concerning an individual, obtained from him or from any physician, dentist, nurse, hospital, nursing home, or other person pursuant to or as a result of the administration of this section, shall be held confidential (except for statistical purposes) and shall not be disclosed or be open to public inspection in any manner revealing the identity of the individual or other person from whom the information was obtained or to whom the information pertains, except as may be necessary for the proper administration of this section. Any person who shall violate any provision of this subsection shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both.

"Medical and hospital services under workmen's compensation

"(f) The provisions of subsection (a) shall not be applicable to any services which an individual required by reason of any injury, disease, or disability on acount of which such services are being received or the cost thereof paid for, or upon application therefor would be received or paid for, under a workmen's compensation law or plan of the United States or of any State, unless equitable reimbursement to the Federal Old-Age and Survivors Insurance Fund for the payments hereunder with respect to such services have been made or assured pursuant to agreements or working arrangements negotiated between the Secretary and the appropriate public agency. Notwithstanding the above sentence, if (1) the individual's entitlement to receive such services (or to have the cost thereof paid for) under such a workmen's compensation law or plan is in doubt when such services are required, (2) the cost of such services is otherwise payable from the Federal Old-Age and Survivors Insurance Trust Fund pursuant to this section, and (3) the individual makes an appropriate application under such workmen's compensation law or plan and agrees, in the event that he is subsequently determined to be entitled to receive such services (or to have the cost thereof paid for) under such law, to reimburse the Federal Old-Age and Survivors Insurance Trust Fund in the amount of any loss it might suffer through its payment for such services, then the cost of such services may be paid from such Trust Fund in accordance with this section. In any case in which the cost of services is paid from the Federal Old-Age and Survivors Insurance Trust Fund pursuant to the immediately preceding sentence, or is paid from such Trust Fund with respect to any such injury, disease, or disability for which no reimbursement to such Trust Fund has been made or assured pursuant to the first sentence of this subsection, the United States shall, unless not permitted under the law of the applicable State (other than the District of Columbia) be subrogated to all rights of such individual, or of the provider of services to which payments under this section with respect to such services are made, to be paid or reimbursed pursuant to such workmen's compensation law or plan for such payments. All amounts recovered pursuant to this subsection shall be deposited in the Treasury of the United States to the credit of the Federal Old-Age and Survivors Insurance Trust Fund.

"Regulations and functions of advisory council

"(g) All regulations specifically authorized by this section shall be prescribed by the Secretary. In administering this section, the Secretary shall consult with a National Advisory Health Council consisting of the Commissioner of Social Security, who shall serve as Chairman ex officio, and eight members appointed by the Secretary. Four of the eight appointed members shall be persons who are outstanding in fields pertaining to hospital and health activities, and the other four members shall be appointed to represent the consumers of hospital, nursing-home, and surgical services, and shall be persons familiar with the need for such services by eligible groups. Each appointed member shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first taking office shall expire, as described by the Secretary at the time of appointment, two at the end of the first year, two at the end of the second year, two at the end of the third year, and two at the end of the fourth year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms but shall be eligible for reappointment if he has not served immediately preceding his reappointment. The Council is authorized to appoint such special advisory and technical committees as may be useful in carrying out its functions. Appointed Council members and members of advisory or technical committees, while serving on business of the Council, shall receive compensation at rates fixed by the Secretary, but not exceeding $50 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence. The Council shall meet as frequently as the Secretary deems necessary, but not less than once each year. Upon request by three or more members it shall be the duty of the Secretary to call a meeting of the Council.

"Utilization of private nonprofit organizations

"(h)(1) The Secretary may utilize, to the extent provided herein, the services of private nonprofit organizations exempt from Federal income taxation under section 501 of the Internal Revenue Code of 1954 which (A) represent qualified providers of hospital, nursing home, or surgical services, or (B) operate voluntary insurance plans under which agreements, similar to those provided for under subsection (d), are made with hospitals, nursing homes, and physicians for defraying the cost of services. Such organizations shall be utilized by the Secretary to the extent that he can make satisfactory agreements with them and to the extent he determines that such utilization will contribute to the effective and economical administration of this section. Such agreements shall not delegate (A) his functions relating to determinations as to whether the costs of hospital, nursing home, and surgical services furnished an individual may be paid for out of the Federal Old-Age and Survivors Insurance Trust Fund under this section and the amount of such payment, and (B) his functions relating to the making of regulations.

"(2) An agreement under paragraph (1) shall provide for payment from the Federal Old-Age and Survivors Insurance Trust Fund to the organization of the amounts paid out by such organization to hospitals, nursing homes, physicians, and dentists, under this section and of the cost of administration determined by the Secretary to be necessary and proper for carrying out such organization's functions under its agreement pursuant to this subsection. Such payments to any organization shall be made either in advance on the basis of estimates by the Secretary or as reimbursement, as may be agreed upon by the organization and the Secretary, and adjustments may be made in subsequent payments on account of overpayments or underpayments previously made to the organization under this subsection. Such payments shall be made by the Managing Trustee of the Trust Fund on certification by the Secretary and at such time or times as the Secretary may specifiy and shall be made prior to audit or settlement by the General Accounting Office.

"(3) An agreement under paragraph (1) with any organization may require any of its officers or employees certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of the cost of such bond from the Federal Old-Age and Survivors Insurance Trust Fund.

"Certifying and disbursing officers

"(i)(1) No individual designated by the Secretary pursuant to an agreement under this section, as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

"(2) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by a certifying officer designated as provided in paragraph (1).

"Adjustments in cash benefits

"(j) For purposes of section 204, any payment under this section to any hospital, nursing home, physician, or dentist, with respect to hospital, nursing home, or surgical services furnished an individual shall be regarded as a payment to such individual."

(b) The amendments made by subsection (a) shall be effective on the first day of the

twelfth calendar month after the month in which this Act is enacted.

(c) Notwithstanding the provisions of section 226(a)(2) of the Social Security Act, as amended by this Act, and subsection (b) of this section, applications filed under such section 226 which would otherwise be valid shall, subject to regulations of the Secretary, be considered valid even though filed more than three months prior to the effective date of this Act, but not if filed prior to the first day of the fourth calendar month after the month in which this Act is enacted.

SEC. 2. (a) Section 1401 of the Internal Revenue Code of 1954 (relating to rate of tax on self-employment income) is amended to read as follows:

"SEC. 1401. RATE OF TAX.

"In addition to other taxes, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax as follows:

"(1) in the case of any taxable year beginning after December 31, 1959, and before January 1, 1963, the tax shall be equal to 4⅞ percent of the amount of the self-employment income for such taxable year;

"(2) in the case of any taxable year beginning after December 31, 1962, and before January 1, 1966, the tax shall be equal to 5⅝ percent of the amount of the self-employment income for such taxable year;

"(3) in the case of any taxable year beginning after December 31, 1965, and before January 1, 1969, the tax shall be equal to 6⅜ percent of the amount of the self-employment income tax for such taxable year; and

"(4) in the case of any taxable year beginning after December 31, 1968, the tax shall be equal to 7⅛ percent of the amount of the self-employment income for such taxable year."

(b) Section 3101 of such code (relating to rate of tax on employees under the Federal Insurance Contributions Act) is amended to read as follows:

"SEC. 3101. RATE OF TAX.

"In addition to other taxes, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 3121 (a)) received by him with respect to employment (as defined in section 3121 (b))—

"(1) with respect to wages received during the calendar years 1960 to 1962, both inclusive, the rate shall be 3¼ percent;

"(2) with respect to wages received during the calendar years 1963 to 1965, both inclusive, the rate shall be 3¾ percent;

"(3) with respect to wages received during the calendar years 1966 to 1968, both inclusive, the rate shall be 4¼ percent; and

"(4) with respect to wages received after December 31, 1968, the rate shall be 4¾ percent."

(c) Section 3111 of such code (relating to rate of tax on employers under the Federal Insurance Contributions Act) is amended to read as follows:

"SEC. 3111. RATE OF TAX.

"In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in sec. 3121(a)) paid by him with respect to employment (as defined in sec. 3121(b))—

"(1) with respect to wages paid during the calendar years 1960 to 1962, both inclusive, the rate shall be 3¼ percent;

"(2) with respect to wages paid during the calendar years 1963 to 1965, both inclusive, the rate shall be 3¾ percent;

"(3) with respect to wages paid during the calendar years 1966 to 1968, both inclusive, the rate shall be 4¼ percent; and

"(4) with respect to wages paid after December 31, 1968, the rate shall be 4¾ percent."

(d) The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1959. The amendments made by subsections (b) and (c) shall apply with respect to remuneration paid after December 31, 1959.

REPORT OF JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

Mr. MORSE. Mr. President, I now wish to make a very brief statement on the report filed by the Joint Committe on Washington Metropolitan Problems on January 31. The report represents a commendable first step on the long and difficult road toward a solution of some of the very serious problems which confront the Washington metropolitan area. They are problems which can be expected to press ever more heavily upon this region in the years just ahead.

I am sure everyone on the joint committee deeply appreciates the kind editorial published in this morning's Washington Post and Times Herald making favorable comment on the report of our committee.

I ask unanimous consent that the editorial be printed 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:

A VOICE FOR THE REGION

Congress has been given an imaginative, farseeing, and yet thoroughly practical scheme for adapting local government in the National Capital area to the enormous postwar growth of the region. Senators BIBLE, BEALL, and MORSE and Representatives MCMILLAN, BROYHILL, and HOWARD SMITH, as well as former Representative Hyde who helped to launch the study, are to be highly commended for their unanimous support of the proposals. The able staff director of the joint committee, Frederick Gutheim, also deserves high praise for conducting a far-ranging investigation and pulling the results together in a succinct and forceful manner.

One of the great virtues of the joint committee's proposals is that they are based upon existing institutions and recognize the need to deal with, protect, and improve established local governments in the approach to metropolitan controls. Thus the National Capital Planning Commission would become a regional agency, with emphasis on development planning for the entire area. Local functions would be left to city, county, or multicounty agencies already set up. The embryo Metropolitan Conference, now a loose, voluntary grouping of local government officials, would be given more formal status, perhaps some limited taxing power and, ultimately, elected members. Together the conference and the Regional Development Agency would form a kind of bicameral metropolitan council, its functions largely advisory, in which the local governments of the region could try to forge harmonious policies and programs.

No less important than these innovations is the proposal for committing the Federal Government to a new and broader interest in the Washington region through a revised system of local payments in lieu of taxes and through support of the Regional Development Agency. Coupled with local tax support of the conference and with revenue-type financing of metropolitan transportation and other public works under the aegis of a new metropolitan public works authority, this would give the whole scheme the necessary financial underpinning.

Such a limited federation of Washington area local governments, built around a more broadly expressed Federal interest in the region, is certainly not a radical program. No overnight miracles would be worked. But for the first time the Washington area could begin to speak with a single voice and address itself to area problems in a concerted fashion. There is probably room for refinement of the details, but on the whole, we think the report merits prompt study and action by Congress, Maryland, Virginia, and the local governments of the region.

Mr. MORSE. Mr. President, the joint committee has worked hard and long to bring this report to the Congress. The record will show that 14 technical reports have been published; 82 witnesses in the 9 days of public hearings offered 1,159 printed pages of testimony, which was most helpful, and which was given careful attention in the 12 executive sessions of the joint committee.

The staff director of the joint committee, Mr. Frederick Gutheim, was chosen by the members of the committee on the sole basis of his high technical ability and accomplishment in the field of metropolitan planning. In my judgment, he has performed brilliantly in an exceedingly difficult and complex area. It was not easy to adjust differing viewpoints and conceptions which were honestly and tenaciously held by the spokesmen for the many agencies operating in the metropolitan region. To him, to his capable staff, and to the very able consultants who worked with him the members of the joint committee owe a debt of gratitude. But the report, Mr. President, owes its final form in great measure to the leadership given the staff by our chairman, the distinguished and very able Senator from Nevada. His example gave constant proof of his own deep conviction of the necessity and worth of the study. The sage counsel given the joint committee by the Members of the House of Representatives who were our colleagues in this endeavor, again, Mr. President, in my judgment, will be most helpful in gaining the acceptance of that body to the recommendations put forth in the report. I think that the unanimous agreement on this report, on both sides of the aisle and on both sides of the Hill, constitutes impressive testimony to the determination of the members to reach a position acceptable both to the Congress and to the neighboring communities.

However, I want to make it perfectly clear that much remains to be done before this metropolitan area will have the governmental institutions that it needs to deal effectively with the urgent problems of water supply, sewage disposal, and transportation. These are the paramount problems which require the provision of regionwide facilities. There are other aspects of the population growth which could profit from attention on a regional scale, but, Mr. President, the committee felt that it was most important to concentrate its attention upon the major and most pressing of the metropolitan needs.

For a moment I shall touch upon some of the magnitudes of the suburban explosion which compelled us to seek a method whereby a solution to these three problems could be obtained.

The city of Washington and its suburbs constitute now the second fastest growing metropolitan area in the Nation. Since 1930 we have witnessed almost a 200 percent increase in population. That growth—and I think it a healthy one in the main—continues. By 1960, only a year from now, 2,130,000 men, women, and children will live in the area. We have been assured that 5 years later, in 1965, an additional 290,000 human beings will swell our metropolitan population to over 2.4 million people.

These people will need water, sewerage facilities, roads, rapid transit, and jobs for the family breadwinners. The problems are not limited to the District lines. Even now only about two-fifths of the population live in the District. When the relocation of Federal agencies now in progress is completed, we will find that 43 percent of all the Government employees of the Capital will work outside the District in the suburbs and neighboring communities. Already the local payroll of the Government, which in fiscal year 1958 amounted for Washington to $1.6 billion, goes to Federal employees, 52 percent of whom live outside the District in the adjacent territory.

Before the region can equip itself with the extensive network of public works and facilities to serve a population of 2½ to 3 million people, we must face up to the fact that the region is an interdependent whole. The area will probably never meet the challenge which faces it as long as it is limited to what can be accomplished upon a piecemeal basis, jurisdiction by existing jurisdiction.

An adequate, long-run governmental structure for the region requires, in my view, two things. First, self government for the District and a substantial annual payment from the Treasury in lieu of taxes. Second, devolution by the Congress, by the municipal government of the District, and by the States of Maryland and Virginia, of enough of their powers and prerogatives to a regional governmental structure sufficient to enable the region to act as a unit in charting future growth and in providing itself with those essential facilities and services which it needs and which lie beyond the capacity of any one jurisdiction.

I close Mr. President, by inviting to the attention of the Senate the consequences of failing to put the report recommendations into legislative life.

On page 13 of the report we said, and it bears repeating:

CONSEQUENCES OF DOING NOTHING

Failure to face up to the problems of metropolitan growth will result in real costs for both the region and the Federal Government. This is particularly the case in the central city. But, as we have shown, both the suburban residents who work in the central city and use it in other ways, and the suburban communities that are increasingly linked to the central city, are involved in the fate of the central city and the metropolitan area as a whole.

The growth of slums and congestion, the deterioration of real property values and the mounting social problems, the decline of many types of retail trade and the flattening growth curves in other types of central city business activity—all these spell trouble. They mean higher governmental costs, higher tax rates, and reduced tax resources. They mean a spiral of migration from the central city and its problems—to the suburbs where problems of equal and perhaps greater difficulty are already clearly emerging.

Nor is the governmental cost the only measure of metropolitan waste. Private business serving the metropolitan region is equally affected by the deterioration of its markets, the rising cost of doing business, by labor shortages, and by other problems arising out of urban disorganization, jurisdictional fragmentation, and the lack of necessary regional facilities. In the end, all metropolitan interests share the same fate. Whether they are governmental or business interests, social or economic interests, central city or suburban interests, all are affected. In this region, because of its widespread and manifold interests, the Federal Government is probably more affected than any other single interest, and will be more adversely influenced if metropolitan problems are neglected and inertia prevents the needed action.

Mr. President, this joint committee report does not offer a plan to solve easily and overnight the manifold of urban difficulties which face our Capital. But it does set forth and describe institutions and organizations which can and should be created to work toward a sound solution of the difficulties and to plan intelligently for the health, growth, and development of the National Capital region.

Mr. President, I ask unanimous consent to have printed as a part of my remarks, at the close of my remarks, the Senate joint resolution which was introduced.

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

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Washington Metropolitan Region Development Act".

SEC. 2. The Congress hereby declares that, because the District which is the seat of the Government of the United States and has now become the urban center of a rapidly expanding Washington Metropolitan Region, the necessity for the continued and effective performance of the functions of the Government of the United States at the seat of said Government in the District of Columbia, the general welfare of the District of Columbia and the health and living standards of the people residing or working therein and the conduct of industry, trade, and commerce therein require that the development of the District of Columbia and the management of its public affairs shall, to the fullest extent practicable, be coordinated with the development of the other areas of the Washington Metropolitan Region and with the management of the public affairs of such other areas, and that the activities of all of the departments, agencies, and instrumentalities of the Federal Government which may be carried out in, or in relation to, the other areas of the Washington Metropolitan Region shall, to the fullest extent practicable, be coordinated with the development of such other areas and with the management of their public affairs; all toward the end that, with the cooperation and assistance of the other areas of the Washington Metropolitan Region, all of the areas therein shall be so developed and the public affairs thereof shall be so managed as to contribute effectively toward the solution of the community development problems of the Washington Metropolitan Region on a unified metropolitan basis.

SEC. 3. The Congress further declares that the policy to be followed for the attainment of the objectives established by section 2 hereof, and for the more effective exercise by the Congress, the Executive Branch of the Federal Government and the Board of Commissioners of the District of Columbia and all other officers and agencies and instrumentalities of the District of Columbia of their respective functions, powers, and duties in respect of the Washington Metropolitan Region, shall be that all such functions, powers, and duties shall be exercised and carried out in such manner as (with proper recognition of the sovereignty of the State of Maryland and the Commonwealth of Virginia in respect of those areas of the Washington Metropolitan Region as are situate within their respective jurisdictions) will best facilitate the attainment of such objective of the coordinated development of the areas of the Washington Metropolitan Region and coordinated management of their public affairs so as to contribute effectively to the solution of the community development problems of the Washington Metropolitan Region on a unified metropolitan basis.

SEC. 4. The Congress further declares that, in carrying out the policy pursuant to section 3 hereof for the attainment of the objective established by section 2 hereof, priority should be given to the solution, on a unified metropolitan basis, of the problems of water supply, sewage disposal and water pollution and transportation.

SEC. 5. The Congress further declares that the officers, departments, agencies, and instrumentalities of the Executive Branch of the Federal Government and the Board of Commissioners of the District of Columbia and the other officers, agencies, and instrumentalities of the District of Columbia, should develop, as rapidly as feasible, such specific plans and proposals to implement and carry out the recommendations contained in the final report of the Joint Committee on Washington Metropolitan Problems pursuant to H. Con. Res. 172, Eighty-fifth Congress.

SEC. 6. As used herein, the term "Washington Metropolitan Region" includes the District of Columbia, the counties of Montgomery and Prince Georges in the State of Maryland, the counties of Arlington and Fairfax in the Commonwealth of Virginia, and the several municipalities (including Alexandria and Falls Church) within said counties.

MEMBERSHIP ON JOINT COMMITTEES

The Senate resumed the consideration of the resolution (S. Res. 68), providing for members on the part of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

Mr. MANSFIELD. Mr. President, I understand there is no opposition to Calendar No. 9, Senate Resolution 68, and I ask for its immediate consideration and urge its approval.

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 68.

The resolution (S. Res. 68) was agreed to, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following joint committees of Congress:

Joint Committee on Printing: Mr. HAYDEN, of Arizona; Mr. HENNINGS, of Missouri; and Mr. MORTON, of Kentucky.

Joint Committee of Congress on the Library: Mr. GREEN, of Rhode Island; Mr. HENNINGS, of Missouri; Mr. JORDAN, of North Carolina; Mr. MORTON, of Kentucky; and Mr. KEATING, of New York.

EXPENDITURES BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 10, Senate Resolution 69.

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

The LEGISLATIVE CLERK. A resolution authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel.

PROPOSED HOUSING LEGISLATION

Mr. ROBERTSON. Mr. President, in the near future we will have before us a housing bill reported from the Banking and Currency Committee on which I serve. But I shall be unable to support that bill.

Some new authorization for Federal support of residential housing and urban renewal unquestionably is needed at this time and the choice offered the Senate will be, basically, either the kind of program advocated in the President's budget and incorporated in bills introduced as S. 65 and S. 612 or the broader, more expensive program proposed in the Sparkman bill, S. 57, which is the basis for the Banking and Currency Committee's bill.

I shall not attempt any detailed analysis of these bills but, before general debate on housing starts, I want to go on record for two purposes: First, to explain why I cannot personally accept my committee's bill and, second, to urge that consideration of these proposals be strictly on the basis of their merits and not treated as a political issue or test of party loyalty.

Last year I supported the urban renewal and housing measures which were enacted into law. I recognize the merit of stimulating the building industry and promoting home ownership through such aids as FHA guaranteed loans and encouraging urban renewal undertakings by reasonable grants and technical assistance. I hope to vote this year for legislation which will continue those programs.

But I feel that our support of housing, like our support of public works, welfare and other efforts of the Federal Government, must be adjusted to our financial position and I frankly feel that we are not justified in launching into greatly expanded housing programs this year when every cent used for the expansion will be money borrowed by the Federal Government and added to the already heavy burden of our national debt.

It is estimated that during the current fiscal year which will end on June 30 the Government will spend approximately $12 billion in excess of its revenue. The full inflationary effect of that spending has not yet been felt and, as I have repeatedly pointed out in the past, there is no more cruel tax than inflation, which falls the heaviest on those least able to bear an increased tax burden and is a form of levy which no one can evade.

The President has submitted for fiscal 1960 what he claimed was a balanced budget but the balance was predicated upon assumptions which, in my opinion, are overly optimistic. The major assumption is that in the 12 months commencing July 1, 1959, corporations of the Nation will enjoy the largest earnings before taxes in their history and that the taxable incomes of individuals will increase more in that period than at any previous period in our history. Both of those contingencies must occur if the Treasury is to realize an additional $10 billion of tax revenue. There is every reason to believe the next fiscal year will be a prosperous one but the degree of increase is open to question.

The second assumption of the President to justify his estimate of a balanced budget is that the Post Office deficit will be reduced by imposition of a 5-cent rate on first class mail and that increased highway spending will be met by an increase of 1½ cents per gallon in the Federal gasoline tax. The chances for imposition of those two new taxes are, in my opinion, less than 50 percent.

A third assumption, of course, is that the Congress will hold appropriations at or below the figures recommended in the budget. The optimism of that assumption will be tested for the first time in our action on housing legislation.

The administration's program, as outlined in the budget and incorporated in S. 65, which is a so-called emergency bill, and S. 612, would call for $300 million of new obligational authority in fiscal 1959 and another $250 million in 1960. In other words, the President's balanced budget in 1960 contemplates a total of $550 million of new obligational authority for the 1959 and 1960 fiscal years, although the total new obligational authority proposed for the life of these bills is $1,650 million.

In contrast, the Sparkman bill (S. 57), as introduced, would call for $875 million of new obligational authority and $300 million for VA direct loans in fiscal 1959 and $350 million of additional obligational authority in 1960. That makes a total of $1,525 million which would be authorized by the Sparkman bill for this year and next year, which is $975 million more than the administration proposal and nearly as much as the total authorization proposed for the life of the administration bill. The total proposed authorization for the Sparkman bill would be $2,925 million—which is $1,275 million more than the administration bill. The Sparkman bill also calls for $8 billion of new authorization for FHA loan insurance, contrasted with $6 billion in the administration bill.

Obviously, then, approval of a program such as is proposed in the Sparkman bill means that at the very beginning of this session we are throwing out the window any hope of balancing the budget in fiscal 1960 so far as obligational authority is concerned. There will be no chance to save elsewhere in the budget the approximately $1 billion that would be added here and, indeed, the example of generosity set in dealing with housing is likely to influence grants for other admittedly worthwhile programs on the upward side.

If we consider proposed spending in fiscal 1960, rather than obligational authority, we find that the administration proposal would add only $3.6 million for urban renewal grants to the expected outlay next year while the Sparkman bill would add $300 million for VA direct loans, $33.3 million for public housing, $9.25 million for urban renewal and $5 million for college loans, a total of $347.6 million.

The difference of $344 million in spending planned under the bills, while less than the difference in obligational authority, would more than wipe out the slender spending surplus of $100 million estimated in the budget.

This would mean serving notice on our own taxpayers that any hope for a tax reduction next year should be completely abandoned, and it will constitute notice to the other nations of the world, who are beginning to be alarmed concerning the stability of the American dollar, that we are unwilling to accept ourselves the type of austerity in the management of our currency which we have so freely recommended to others faced with inflationary threats.

One other point I want to make in indicating why I cannot approve this larger housing program is that it involves further expansion of the scheme I have criticized in the past to bypass the Appropriations Committees of the House and Senate by authorizing funds to be withdrawn directly from the Treasury through use of borrowing authority which is given to a Federal agency.

Direct borrowing from the Treasury is proposed in the Sparkman bill for $525 million for college housing and for college classrooms and laboratories—a dangerous procedure, regardless of the merits of the program.

The urban renewal and public housing programs do call for appropriations, but congressional control through the Appropriations Committees is reduced to a minimum because once a long-term contract has been signed, as authorized in the housing bill, the Government assumes an irrevocable obligation to make payments under that contract and the Appropriations Committees have no choice except to approve these items, as they do interest on the national debt or veterans pensions.

I shall not go into further detail at this time, Mr. President, but the principles involved in urban renewal and housing legislation were discussed in a speech I made to the League of Virginia Municipalities on September 22, 1958. Since my views on the subject now are the same as they were last fall, I ask unanimous consent to have printed in the RECORD at this point the remarks I made at that time.

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

REMARKS OF SENATOR A. WILLIS ROBERTSON PREPARED FOR ANNUAL MEETING OF VIRGINIA LEAGUE OF MUNICIPALITIES AT ROANOKE, VA., SEPTEMBER 22, 1958

The opportunity to renew contacts with my many friends in the Virginia League of Municipalities was so attractive that I wel-

comed the invitation to come here today. When I looked over the elaborate program prepared for your annual meeting, however, I was frankly puzzled as to what I might add to it and, therefore, I welcomed the suggestion of those from whom I sought advice that I should talk to you about Federal legislation affecting municipalities.

Any complete review of Federal-municipal relations obviously is impossible in the time at my disposal, but I shall discuss briefly what the Federal Government has been doing to aid municipalities and other local units of government and proposals for additional aid which were considered by the 85th Congress—especially those measures which were handled by the Senate Banking and Currency Committee on which I serve.

Then, I want to offer a few comments on the significance of the Federal aid picture and my suggestions as to the attitude which I feel those responsible for municipal affairs in Virginia should take toward future legislation.

Members of this group are far better informed than the average citizen as to what is done with taxes collected by the Federal Government, but some of you may not have realized that Federal grants-in-aid have grown to the point where they total nearly 1½ times the total amount which was spent by the Federal Government for all purposes, including national defense, when I first entered the Congress.

The Federal spending budget in 1933, my first year as a Member of the House of Representatives, was $4.6 billion. In comparison, for the fiscal year ending June 30, 1957, the total of Federal grants to State and local governments and Federal aid to programs involving payments to individuals within the States was more than $6.4 billion.

The way in which these programs have grown is illustrated by the fact that the total distribution of Federal aid in 1930 was only $147 million. In 1940 it was $1.4 billion and in 1950 it was $5.5 billion, using round figures throughout.

You may also be interested to know that Virginia's share of this aid in the 1957 fiscal year—the last for which I could obtain complete figures—was around $99 million.

This total included, of course, many items such as aids to agriculture, veterans benefits, and research grants not related to municipal functions, but there still remained a large part of the total which directly or indirectly affected the budgets of Virginia cities and towns.

There was, for example, $2.5 million paid in Virginia for school lunch programs and another million distributed to encourage consumption of milk by Virginia schoolchildren. Emergency grants for school construction in federally impacted areas brought around $5.5 million to local governments in Virginia and Federal aid for operating schools in these areas provided another $7.6 million.

Public Health Service grants in Virginia amounted to more than $1 million and our State's share of Hill-Burton hospital construction funds was $2.2 million.

The Social Security Administration transferred to Virginia more than $1 million for maternal and child welfare services and more than $13 million for public assistance to the blind, aged, dependent children and disabled persons. Vocational rehabilitation grants to Virginia were nearly $1 million and unemployment compensation grants from Federal funds exceeded $2.3 million.

The urban renewal program brought nearly $2 million to Virginia cities in the 1957 fiscal year and there was around $2.4 million spent in this State for public housing.

Payments to National Guard units in Virginia totaled more than $8.7 million and unemployment compensation payments for veterans and Federal employees amounted to over $1.2 million.

The items I have mentioned are merely some significant samples taken from the 25 pages of fine-type tables in the annual report of the Secretary of the Treasury. I commend that full tabulation to those of you who are interested in a better understanding of just how far the Federal Government has departed from the Jeffersonian concept of having the Central Government do only those things which the State and local governments are unable to do for themselves.

Since that report was made Congress has enacted the Housing Act of 1957 which authorized spending of $1.9 billion, including an additional $350 million for slum clearance and urban renewal and liberalizing the percentage of the Federal contribution to these projects from two-thirds to three-fourths of the net cost.

The 85th Congress also extended the program of emergency school aid to federally impacted areas to June 1959 and authorized a permanent program of assistance for construction and operation of schools in these areas based on the number of children of persons who both reside and work on Federal property.

That, I might add, is the only kind of Federal aid to education which I approve. We cannot have the Federal Government paying for our schools without controlling them, but it is no more than fair that when the Government assigns workers to an area where they live without being subject to local property taxes there should be payments in lieu of taxes which amount to a fair tuition charge for educating their children. The alternative is to expect the Federal Government to provide its own schools on the Government reservations.

Another action of the last Congress to increase Federal aid was extension of the Hill-Burton hospital program for another 5 years during which $211 million will be distributed. That has been one of the best of the Federal-aid programs.

Programs of Federal aid to localities carried on under legislation within the jurisdiction of my Banking and Currency Committee include: (1) Loans to State and local governments for planning public works. (2) Loans to State and local governments for construction of public works. (3) Loans and grants for urban renewal and slum clearance; and (4) loans and annual contributions to local public agencies for construction and operation of low-rent public housing.

For public works planning there is a revolving fund of $48 million authorized of which $24 million has been appropriated. Projects to be planned may include educational facilities, public buildings such as court houses, city halls, police and fire stations, civic auditoriums and facilities such as garbage disposal plants, port developments, harbor and flood relief works and airports. The theory of this program is to encourage advance planning which otherwise might be deferred by communities which are short of funds and thus to have more projects ready for a quick start if an increased public works program is needed as an anti-recession measure.

In addition to this planning program there was authorized by the Housing Amendments of 1955 a fund of $100 million for loans to local and State governments to build essential community facilities for which financing is not otherwise available on reasonable terms and conditions.

These two loan programs would have been broadened by the so-called Community Facilities bill (S. 3497) which passed the Senate but was rejected this year by the House. That bill would have authorized another $2 billion for the construction loan fund and $98 million for planning cost advances. It also would have liberalized loan terms. If enacted into law the program would have been financed by the Federal Government with borrowed money. That would have been unsound in principle and inflationary in effect.

I was even more emphatically opopsed to the Area Redevelopment Act (S. 3683) which passed both Houses of the Congress but was vetoed by the President. That bill would have authorized $200 million for loans and $75 million for grants-in-aid to areas of so-called chronic unemployment.

As I said in a speech on the Senate floor opposing S. 3683, if Congress had not abandoned all constitutional restraint on spending, the bill would not even have come before the Senate. We have no constitutional authority to spend money in one locality to help overcome its economic disadvantages as compared with other localities. This amounts to an attempt by the Federal Government to substitute its decisions regarding the development of an area for the natural decision of our free enterprise system, and ignores the Constitutional principle that even though you treat the general welfare clause as a grant of Congressional power it still means general and not local welfare.

In addition, both the community facilities bill and the area redevelopment bill contained the objectionable authority to finance the programs by borrowing from the Secretary of the Treasury rather than coming to the Appropriations Committees of the House and Senate for the funds. It is easy enough for these spending programs to get out of hand when they must pass annual scrutiny by two committees of the Congress, but when they are given a direct pipeline into the Treasury for their funds and their demands cannot be reviewed, once the initial authorization has been granted, the dangers are compounded.

As I have indicated, the housing amendments approved in 1957 liberalized both the terms and scope of the urban renewal program for which spending of $1.350 billion has been authorized but the proposed 1958 omnibus housing bill (S. 4035) which passed the Senate but failed in the House would have authorized another $2.25 billion for urban renewal.

This bill also would have extended for another year the present authority for 70,000 units of low-rent public housing and would have permitted additional annual contribution contracts for 17,500 low-rent units.

Still another bill which failed of enactment was a House bill (H.R. 13420) to increase grants to State and local governments under the Water Pollution Control Act. This would have permitted grants up to 30 percent of the cost of projects or up to $500,000, whichever was the smaller. The aggregate appropriation proposed for the program was $1 billion of which up to $100 million could be used in any fiscal year.

In referring to proposals for enlarged Federal aid programs which were handled by the Senate Banking and Currency Committee and which passed the Senate but which were rejected by the House, I want you to understand that I speak apologetically rather than boastfully.

I realize how modern demands for schools, health, and police protection have greatly increased the financial burden of our municipalities while heavy Federal income and excise taxes have impinged upon potential revenue. A major reduction in Federal taxes, however, would, in my opinion, be preferred by most of our Virginia towns and cities to increased Federal handouts because while Virginia is scheduled to receive about $100 million of Federal aid in this current year Virginia's estimated share of the proposed $80 billion spending will be over a billion dollars or 10 times what we will get back in Federal aid.

My friend, Horace Edwards, recently pointed out to me that a family living in

Richmond with two children, an annual income of $6,500 and a $12,000 home, would pay the city only $246 in taxes but would pay the Federal Government around $700. That family, whether it realized it or not, is helping to put up the money which is discounted by the Federal bureaucrats and then sent back to the city for various aid programs. But, in addition, that family is helping to support aid programs in other areas from which it does not profit and which may involve activities that the people of Richmond would not approve if allowed to pass on them in a referendum.

Furthermore, all the families in Virginia, even those in the lowest brackets which pay only nominal Federal, State, and local taxes are victims of what I described to a bankers meeting in Richmond this month as "the cruelest tax," which is inflation.

Continual spending by the Federal Government in excess of its revenues, which apparently will approach $12 billion in this fiscal year, is one important element in raising prices and lowering the purchasing power of the dollar. Our dollars now will buy less than half the commodities they would buy before World War II and the trend is toward additional rounds of wage increases and price increases which offset them, the inflation tax falling heaviest on those with fixed incomes.

Aside from causing individual hardships, this trend toward inflation is serious because, as the Russian leader Lenin said: "the surest way to overthrow an existing social order is to debauch the currency."

Therefore, I urge you, as leaders in your communities, to take a stand for a sound economy and for economical operation of the government at all levels.

When you need new public works or improved services, seek ways to finance them for yourselves and then give your backing to efforts to taper off and discontinue Federal aid programs instead of encouraging their expansion and the starting of new ones.

You, after all, as municipal representatives occupy a key spot in our system of government because, as Alexis de Tocqueville wrote a century and a half ago in his essay on "Democracy in America": "Local assemblies of citizens constitute the strength of free nations. Town meetings are to liberty what primary schools are to science; they bring it within the people's reach; and they teach men how to use it and enjoy it."

Mr. ELLENDER. Mr. President, will the Senator from Virginia yield to me?

Mr. ROBERTSON. I yield.

Mr. ELLENDER. I wonder if the distinguished Senator from Virginia can answer a question which is in my mind, and I preface my question with an apology. I am sorry I did not hear all of the Senator's speech.

I wonder if the Senator has been able to obtain information as to what the present obligations of the Federal Government under FHA, VA loans, and other methods of financing housing may be.

Mr. ROBERTSON. The Senator from Virginia has no recent tabulation. Two years ago he had a very complete tabulation made. It is his recollection that the indirect obligations of the Government were between $50 billion and $60 billion. A good part of that is for housing loans which we have underwritten, and other projects on which the Government has loaned money. But there has been a great deal of money borrowed under the procedure adopted during the emergency in 1932 and 1933, of issuing bonds rather than going through the appropriation procedure, and borrowing directly from the Treasury.

Also, we have been quite free in underwriting obligations, as though lending our name were an easy way to put money in circulation, without creating any real liability.

The junior Senator from Virginia will be glad if some member of his committee, or the committee staff of the Banking and Currency Committee, will compile such a tabulation. Perhaps it will be available when the housing bill is considered on the floor of the Senate.

Mr. ELLENDER. I hope the Senator will have such a tabulation prepared, because I believe that the Senate and the country should be made aware of the huge value of the many loans which have been guaranteed by the Government. As the Senator knows, our debt is about to reach the $285 billion limit. I am informed that we shall reach that limit by June 30.

The obligations to which I refer are guaranteed by the Government, and they are over and above the staggering national debt.

Mr. ROBERTSON. That is correct. The indirect obligations are not carried as debt.

Mr. ELLENDER. I am very hopeful that the distinguished new chairman of the Committee on Banking and Currency, through some member of his committee, will inform the Senate and the country concerning the outstanding value of indirect obligations which have been created since these housing programs have been placed on the statute books.

Mr. ROBERTSON. The information would be very pertinent, certainly, from a psychological standpoint.

The junior Senator from Virginia was asked at lunch by the senior Senator from Georgia [Mr. RUSSELL] what the total expenditures of the Government were when the junior Senator from Virginia was elected to Congress in 1932. The reply was, "One-third of what the interest on the national debt will be in the fiscal year 1960." Four billion dollars covered everything. In 1935, when President Roosevelt proposed that we spend $4,800,000,000 for relief and recovery, the junior Senator from Virginia made a speech against the proposal, and said that if we started spending that way, we would live to see the national debt go up to $50 billion; and that if it did, we would all be ruined.

We are still here. We have not been ruined, but think how far down the road toward ruin we have gone.

In the February issue of the Reader's Digest we shall see an article showing how, in a relatively short period of time, France has inflated its currency 20 times. Professor Schlichter, of Harvard, says that a little inflation is a good thing, and that no one should object to 3 percent.

That sounds as though a little credit expansion makes everyone feel happy. However, if a man 35 years of age is paying for an insurance policy, and he suffers 3 percent inflation a year, by the time he is 70 years of age, the insurance has been used up. At 3 percent a year, in 33⅓ years, the insurance is gone. That is why we must "level" on this subject. The Senator is right, that we ought to know what the national indebtedness will be and that we ought to know what the indirect obligation is going to be, if the situation should turn against us and the loans for housing should go sour.

Mr. ELLENDER. It is almost incredible that out of every dollar we appropriate, 10 cents goes toward paying the interest on the national debt. I have been in the Senate for 22 years. As I recall, when I first came to the Senate, the entire amount we appropriated to operate all departments of Government was approximately what is now required to pay the interest on our national debt.

Mr. ROBERTSON. The Senator is right. A good many people will say, "We can remember when we could buy things for a third of what it costs now, but at that time we did not have any money to buy them with, whereas now we have the money." That is a temporary viewpoint. We must consider what may happen.

Mr. JOHNSTON of South Carolina. Mr. President, in preparing the Senator's statement I should like him to include the bonds under the retirement fund and the social security fund.

Mr. ROBERTSON. The Senator from South Carolina is opening a broad field. We cannot get dependable figures.

Mr. JOHNSTON of South Carolina. The retirement fund costs run between seven and eight billion dollars.

Mr. ROBERTSON. I understand that there is a great deal of potential liability in the railroad retirement fund also. Of course, that is not a direct obligation, but we have been administering it, and certainly the railroad workers, if the time ever came that the funds did not pay out, would expect Congress to come to their rescue.

We recently had a report from a committee—I believe the President appointed it—which showed that if we increase the social security taxes, as has been proposed, the social security fund will be safe. If we do not increase the taxes, the present revenue under the tax program will not finance present payments, and to that extent we would go into the red. The committee made a very exhaustive study. The junior Senator from Virginia was encouraged to note that the committee stated that the program was on a sound basis, even though we have greatly increased the benefits and increased the time with respect to the qualification of widows, and that it would remain sound if we would let the payroll taxes go up, as was contemplated.

I shall get such information as the Committee on Appropriations and other committees can gather on the total debt picture, because we certainly need all the information we can get.

Mr. ELLENDER. I am particularly anxious to ascertain the obligations at this time in the housing field, particularly the VA and FHA and any other housing programs that we now have on the statute books.

Mr. ROBERTSON. In the housing field it is something over $20 billion.

EXPENDITURE BY COMMITTEE ON RULES AND ADMINISTRATION

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana that the Senate proceed to the consideration of Senate Resolution 69 authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel.

The motion was agreed to.

Mr. ELLENDER. Mr. President, as I understand, the purpose of the appropriation requested is to maintain the Subcommittee on Privileges and Elections, so that the subcommittee may investigate any elections which may take place this year or next.

Mr. MANSFIELD. That is correct.

Mr. ELLENDER. As I recall, during an off year the amount provided in the past has been $60,000.

Mr. MANSFIELD. That is correct.

Mr. ELLENDER. I notice that that amount has been raised to $75,000 in the resolution. As long as there is no election to be investigated during this year, why should the amount be increased?

Mr. MANSFIELD. I would say that it was at my suggestion that the amount requested was reduced from $100,000 to $75,000 in committee. The subcommittee, under the chairmanship of the distinguished senior Senator from Rhode Island [Mr. GREEN] has been quite busy during the past year, and there are possibilities that some questions may still arise relative to the election of last November. In addition, the subcommittee must prepare for the presidential election next year, and that will keep it busy. It may be that $75,000 may not be required, but I believe it is important that the amount be on hand so that there may be a little leeway. Last year $150,000 was granted, and of that amount $59,000 was returned to the contingent fund of the Senate. I should also like to call to the attention of the Senator the fact that it is my understanding that the staff, which now numbers eight, is going to be reduced to five. Therefore, economies will be made in that direction.

Mr. ELLENDER. If the staff is reduced to five, why will it require $75,000 to run the subcommittee?

Mr. MANSFIELD. With the increase in pay which Congress voted last year, it will be necessary to allow a little extra money; in addition, there is a certain amout of investigative work that must be done.

Mr. ELLENDER. How many attorneys will it be necessary to employ?

Mr. MANSFIELD. Really only two.

Mr. ELLENDER. I notice that the subcommittee employs a chief counsel, who is paid a salary of $14,979.45; an assistant chief counsel, who is paid $14,979.45; and a minority counsel, who is paid the same amount. There are three lawyers who are to receive the same amount of money. Why is it necessary to engage such expensive lawyers?

Mr. MANSFIELD. It is not necessary to have that many, but I do believe it is necessary to have at least one majority counsel and one minority counsel.

Mr. ELLENDER. Why? I should like to know why it is necessary to have more than one lawyer. There may be a need for investigators, but it strikes me that not more than one lawyer would be needed.

Mr. MANSFIELD. The Senator has a point there, but I am sure he is educated enough in the field of practical politics to know that the minority——

Mr. ELLENDER. No; I plead ignorance.

Mr. MANSFIELD. He knows it is necessary to have the minority represented by way of a minority counsel. I am sure the Senator is not ignorant about this aspect of the matter.

Mr. ELLENDER. I merely wish to point out that a rule was agreed to some time ago that, if on a committee there were more than two lawyers, a third lawyer should be appointed for the minority. However, I point out to the Senate that, in my opinion, we do not need more than one lawyer on this subcommittee, which has little or nothing to do now but to answer a few letters. A few clerical people could do that. I served on the Committee on Rules and Administration, and I know the work that is done. It strikes me that we would not be violating the procedure, or any agreement which has been entered into by the Republicans and Democrats, relating to situations where, if a committee employs two counsel, it is necessary to provide a third, so as to give the minority a counsel. Here, only one lawyer is needed; if we confined the staff to those persons actually needed we could save the expense of hiring two lawyers. We could do that if we were only courageous enough to do it.

Mr. MANSFIELD. I should like to say to the Senator, who has served on the committee, and knows the work of the committee, that several bills have been referred to the committee dealing with proposed amendments to the Corrupt Practices Act and to the Hatch Act, and to miscellaneous related acts. Therefore, the Senator must know that the staff will have to prepare itself for the coming election year. The Senator knows that in a presidential election year the elections are a little more vigorous than in other election years.

Mr. ELLENDER. As I understand, the subcommittee involved here has from its inception dealt with elections.

Mr. MANSFIELD. With elections and privileges.

Mr. ELLENDER. Now, apparently the work has been expanded, and a regular force has been employed. The Committee on Rules and Administration has the right to employ four experts, or four lawyers, and six clerical assistants. What will these people do?

Mr. MANSFIELD. Under the proposed appropriation it will be impossible to hire that many people. Besides, there is no desire on the part of the chairman, the distinguished Senator from Rhode Island [Mr. GREEN] to do so. I have indicated that the staff, which has been pretty stationary for the past 2 years, is going to be reduced from eight to five.

Mr. ELLENDER. The Senator and I are talking about two different things. I am saying that the Committee on Rules and Administration, being a standing committee of the Senate, has the right under the Reorganization Act to employ four professionals and six clerical assistants.

For that purpose, the committee has a sum total of $123,560 allotted to it. Why is that money not used in order to do the work which the Senator from Montana speaks of, namely, to investigate the Corrupt Practices Act and activities other than contested elections?

Mr. MANSFIELD. I can only say that the distinguished Senator from Louisiana has asked me a question outside my sphere of knowledge. All I know concerning this subject is what I am talking about at the present time. I certainly hope the Senator will not oppose the appropriation of $75,000 for this most necessary committee.

Mr. ELLENDER. I have opposed many of these resolutions—mostly in vain—but I am simply trying to show to Senators who are newcomers to this body the extent to which some committees are extending themselves. I am quite confident that if the Committee on Rules and Administration, which has the authority under the Reorganization Act to employ four professional and six clerical employees, were to put its employees to work, they could still sit around and not be busy all the time, even if they applied themselves.

But here we have a separate subcommittee. I am not objecting to the appointment of a separate subcommittee of the Rules Committee; it has been done in the past. But since this is not an election year, why should we appropriate as much as $75,000 to hire three lawyers, and pay each of them over $14,000 a year, in order, more or less, to enable them to sit around? That is what they will do, because they will not have work to keep them fully occupied.

Mr. MANSFIELD. There is much merit in what the Senator from Louisiana has said. I assure him, so far as I as one member of the committee, am concerned, that we will take into consideration what he has already said and try to bring about a reform along the lines he has suggested. I point out again that the committee has tried to make a start by reducing its staff from eight to five.

Mr. ELLENDER. I presume the reduction will be made in the clerical employees, the poorly paid employees.

I repeat, that in the past, in an off-election year, we have never appropriated more than $60,000. That is what I am suggesting be done this year. The committee will not be kept very busy, because of a lack of elections during this year.

Mr. MANSFIELD. This is the kind of committee as to which one can never tell whether it will be busy or not. I recall that in my first year in the Senate this committee spent in excess of $300,000 to investigate one campaign conflict.

Mr. ELLENDER. I remember that, but that investigation required a special resolution. But now there is no indication of an election contest of any kind in sight. Why anticipate it? Why keep people on the payroll unnecessarily? Why not simply provide $60,000, as was done in the past, and let us save $15,000 if we can?

Mr. MANSFIELD. If the Senator will agree to providing $75,000, we will try to save the $15,000, and more, and return it to the contingent fund.

Mr. ELLENDER. I would rather save it now, because if the money is appropriated, ways and means will be found to spend it.

Mr. MANSFIELD. Is the Senator offering a resolution or an amendment?

Mr. ELLENDER. I offer an amendment that the amount be reduced from $75,000 to $60,000.

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

Mr. MANSFIELD. I yield.

Mr. MORTON. I point out to the Senator from Louisiana that the senior Republican member of the committee, the Senator from Nebraska [Mr. CURTIS], offered an amendment, or made a proposal in the committee, that the amount be $50,000. Then the Senator from Montana suggested that we split the difference and make the amount $75,000. Our side, knowing the majority of the votes were on the other side anyway, said we would accept $75,000.

But if the Senator is offering an amendment to make the amount $60,000, I will support it, as I would have supported the $50,000 in committee.

Mr. ELLENDER. May I ask the Senator from Montana if it is or is not true that it is contemplated to hire at least two lawyers, one to represent the majority and the other the minority?

Mr. MANSFIELD. The lawyers, as the Senator from Louisiana speaks of them, are already employed and are on the payroll. There is one to represent each party.

Mr. ELLENDER. That is on this particular subcommittee?

Mr. MANSFIELD. Yes.

Mr. ELLENDER. Is it the purpose to maintain that status, whether they have work to do or not?

Mr. MANSFIELD. So far as I am concerned, I agree that one lawyer, as chief counsel, is enough. But when the ranking minority member of the committee asks that he be represented by an associate or an assistant counsel, what are we to do?

Mr. ELLENDER. Personally, I would vote him down. As I recall, a rule was adopted, or an understanding was reached, some time ago, that if, on a committee of this kind, there were more than two lawyers, then the minority should be represented. But I contend that one lawyer is sufficient—and if but one lawyer is selected, then, under the agreement as I understand it, the minority would not be entitled to a lawyer.

The committee could easily function with $60,000—especially since this is not an election year.

I am confident ample funds with which to conduct its work would be available to the subcommittee if only $60,000 were provided.

I hope my amendment will be agreed to.

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. On page 2, line 22, it is proposed to strike out "$75,000" and insert in lieu thereof "$60,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment. [Putting the question.]

Mr. ELLENDER. I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the resolution.

The resolution (S. Res. 69) was agreed to, as follows:

Resolved, That the Committee on Rules and Administration, 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—

(1) the election of the President, Vice President, or Members of Congress;
(2) corrupt practices;
(3) contested elections;
(4) credentials and qualifications;
(5) Federal elections generally;
(6) Presidential succession.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, is authorized to (1) 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 $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

CONTINUATION OF JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 13, Senate Concurrent Resolution 2.

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. 2) continuing the Joint Committee on Washington Metropolitan Problems.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution.

Mr. ELLENDER. Mr. President, I have discussed the resolution with the Senator from Nevada [Mr. BIBLE]. He assures me that the work which was started last year will be completed this year with the amount which is provided in the resolution.

Mr. MANSFIELD. That is correct.

Mr. ELLENDER. I am very hopeful that such will be the case.

Mr. MANSFIELD. That was the assurance which was given to the Committee on Rules and Administration. I think the work will require only a few months. I thank the Senator from Louisiana for his courtesy in this matter. I ask for a vote.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 2) was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Washington Metropolitan Problems created by H. Con. Res. 172, agreed to August 29, 1957, is hereby continued through September 30, 1959.

SEC. 2. The joint committee is hereby authorized to make expenditures from February 1, 1959, through September 30, 1959, which shall not exceed $30,000, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

ADDITIONAL PERSONNEL FOR THE COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 15, Senate Resolution 30.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 30) authorizing the Committee on Foreign Relations to employ certain additional personnel.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. ELLENDER. Does the resolution provide for the same number of employees as were provided last year?

Mr. MANSFIELD. That is correct.

Mr. ELLENDER. It provides for no additional employees?

Mr. MANSFIELD. No; it is simply a continuation of the existing status. It is the usual resolution which is submitted by the committee.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 30) was agreed to, as follows:

Resolved, That the Committee on Foreign Relations is authorized effective February 1, 1959, and until otherwise provided by law, to employ two additional professional staff members and three additional clerical assistants to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946 and the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

STUDY OF UNITED STATES FOREIGN POLICY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 16, Senate Resolution 31.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 31) to authorize a study of United States foreign policy, with special reference to Latin American and Canadian affairs, and the problems of world disarmament.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. CHAVEZ. Mr. President, may I inquire of the Senator from Montana what is planned to be done by the provisions of the resolution?

Mr. MANSFIELD. The resolution seeks to enable the making of a survey of the conditions of American foreign policy throughout the world in general; and, in particular, a survey of Latin American affairs, under the chairmanship of the Senator from Oregon [Mr. MORSE]; and also a study of American-Canadian relations under the chairmanship of the Senator from Vermont [Mr. AIKEN].

The effect is to continue, except for approximately $15,000, the same amounts appropriated last year. I believe it will be found that of the approximately $500,000 requested, something in excess of $450,000 of the total amount granted last year has been returned to the Senate.

Mr. CHAVEZ. Yes. I have no objection to the amounts allowed heretofore. But as a practical matter, how will the inquiry regarding our relations with Canada or with Latin America be made?

Mr. MANSFIELD. As the Senator from New Mexico knows, the genesis of this matter was the incidents which affected the Vice President during his tour of the southern part of the hemisphere. The purpose of the request is, of course, to make an intensive study in the case of each country; and I believe approximately $150,000 was allocated for that purpose last year. Very little of that amount has been spent; and the request is that the remainder be reappropriated at this time. It is hoped that from the survey will come a better understanding between the people of the Latin American countries and the people of the United States, and also a solution of some of the problems which confront us mutually.

Mr. CHAVEZ. I understand the purpose, and I think it is laudable. I hope the committee will obtain the proper kind of staff to do the investigating, because many investigations mean nothing more than a trip somewhere; they do not mean anything definite in the way of information by which we can determine why unpleasant incidents occur.

Mr. MANSFIELD. The Senator from New Mexico is correct.

Mr. CHAVEZ. I wish the committee to do a good job.

Mr. MANSFIELD. Let me point out that the distinguished senior Senator from Oregon [Mr. MORSE] is proceeding slowly and carefully, and intends to do a good, impartial job; and I believe the results of his investigation or survey will be very worthwhile, and will well warrant the amount of money to be appropriated.

Mr. CHAVEZ. Let me assure the Senator from Montana that I do not know of anyone whom I would trust more to do a good job than I would the Senator from Oregon [Mr. MORSE].

Mr. MANSFIELD. Yes.

Mr. CHAVEZ. I hope he will obtain the right kind of staff, who will go to the countries south of the border and will find out what the trouble is.

I am not a member of the Foreign Relations Committee, but I talk to these people practically daily; and we never have been at a lower ebb in regard to our relations with South America than we are now.

Mr. MANSFIELD. I agree with the Senator from New Mexico.

I should like to point out, for the edification of the Senate and the country as a whole, that Latin America has had no more stanch friend than the Senator from New Mexico [Mr. CHAVEZ]; and because of his great interest, he can be assured that what the Senator from Oregon [Mr. MORSE] is going to do will be well done and will be in the best interests of our country and the best interests of mutual relations and understanding.

Mr. CHAVEZ. I thank my friend.

Mr. ELLENDER. Mr. President, let me ask my friend, the Senator from Montana, a question. He has stated, I believe, that three subcommittees have been combined.

Mr. MANSFIELD. No; the three requests have been combined. They cover three separate items. One is the overall survey which is under the direct chairmanship of the distinguished Senator from Arkansas [Mr. FULBRIGHT].

Mr. ELLENDER. As I recall, last year we provided $300,000 for that purpose.

Mr. MANSFIELD. Yes.

Mr. ELLENDER. How much of it was spent?

Mr. MANSFIELD. I believe approximately $275,000 or perhaps $280,000——

Mr. ELLENDER. Was spent?

Mr. MANSFIELD. No; was returned—which meant that perhaps $20,000 was used. The survey did not begin until late.

Mr. ELLENDER. What about the other appropriations which were made for the Foreign Relations Committee? Do I correctly understand that all of the money appropriated last year was returned to the Treasury?

Mr. MANSFIELD. Practically all of it was returned. Of the $150,000 appropriated under the Latin American resolution, only $1,601.57 was spent. The rest was returned to the Treasury

Mr. ELLENDER. Then what we are really doing now is more or less reappropriating the sums which were made available last year; is that correct?

Mr. MANSFIELD. Exactly. Of the $300,000 for the foreign-aid survey, $23,662.25 was spent; and approximately $8,000 or $9,000 is to be used in the interest of furthering American-Canadian relations. We had the committee set up under the chairmanship of the distinguished Senator from Vermont [Mr. AIKEN]. It worked with a similar parliamentary body from the Canadian House and Senate, and it seeks to bring about a better understanding of the difficulties between the two countries.

Mr. ELLENDER. Mr. President, I wish to say to my good friend, the Senator from Montana, that last year it was my privilege to visit every country in South America and Central America, with the exception of Paraguay and Bolivia. I am now preparing a report of my findings which I hope to submit to the Senate soon. It is a one-man report; I did not require a committee to prepare it. The entire cost to the Government for my personal expenses was approximately $510, and my transportation fare was approximately $1,000. For any other expenses, I paid the bills myself. I hope to have in the hands of my colleagues not later than Monday a complete report regarding every country I visited, and at that time I hope to make a presentation of the matter to the Senate.

I wish to say that I found that things in South America and Central America are not quite as bad as one would judge from reading the newspaper accounts; as my report will show.

Mr. MANSFIELD. Mr. President, I, for one—and I know I speak for many others—look forward with great interest to the report the distinguished Senator from Louisiana will make, because, as always, when he returns from such trips, he makes a good report which contains considerable information not otherwise available. I hope a copy of the report will be sent the chairman of the subcommittee conducting the Latin American study—the Senator from Oregon [Mr. MORSE]—because I wish to assure the Senator from Louisiana that, judging from everything the Senator from Oregon has said to the full committee, he intends to do a good, painstaking job in this area.

Mr. ELLENDER. I wish to say to my friend that this is my seventh report, based on my visits abroad, to the Appropriations Committee. Of the seven reports, two—as the Senator from Montana knows—were printed, as Senate documents—one in 1956 and one in 1957. My 1958 report is now in the process of being printed. I hope to have a copy of it in the hands of each Senator and each Member of the House of Representatives either the latter part of this week or early next week. I spent a great deal of time on the report, and I hope it will be of some assistance to those who propose to spend approximately $150,000 or $200,000 to go over the same ground I have gone over.

Mr. MANSFIELD. Let me say to the Senator from Louisiana that no one is more assiduous in making reports, following such trips, and in giving us the benefit of his findings and views; and I

think they are certainly factual and worthwhile.

The PRESIDING OFFICER (Mr. HARTKE in the chair). The question is on agreeing to the resolution.

The resolution (S. Res. 31) was agreed to, as follows:

Resolved, That the Committee on Foreign Relations, 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 jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study of any and all matters pertaining to the conduct of United States foreign policy, with special reference to Latin America and Canadian affairs, and the problems of world disarmament.

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; (2) to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate; (3) to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (4) to take such testimony; (5) to employ, upon a temporary basis, all such technical, clerical, and other assistants and consultants; and (6) 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 as it deems advisable.

SEC. 3. In the conduct of its studies the committee may use the experience, knowledge, and advice of private organizations, schools, institutions, and individuals in its discretion, and it is authorized to divide the work of the studies among such individuals, groups, and institutions as it may deem appropriate and may enter into contracts for this purpose.

SEC. 4. The expenses of the committee, under this resolution, which shall not exceed $500,000 for the period ending January 31, 1960, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ASSISTANCE TO MEMBERS OF THE SENATE IN CONNECTION WITH VISITS BY FOREIGN DIGNITARIES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Order No. 17, Senate Resolution 32.

The PRESIDING OFFICER (Mr. HARTKE in the chair). The resolution will be read by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 32) providing assistance to Members of the Senate in the discharge of their responsibilities in connection with visits to the United States by foreign dignitaries, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. ELLENDER. Mr. President, I should like to know the reason for the resolution. Why is it necessary to appropriate funds and employ an extra person to receive foreign dignitaries on behalf of the Foreign Relations Committee? That is a new one.

Mr. MANSFIELD. I may say to the Senator from Louisiana that a similar resolution was adopted last year. It was intended to take away the burden of entertaining and looking after so many foreign official visitors who are coming to the Capitol, many of them parliamentarians from other countries in the world, many of whom had extended courtesies to our membership while we were visiting their countries.

I think the record will indicate that something on the order of official visitors, from prime ministers on down, or up, depending on the country, from 30 countries, visited us last year; that $5,000 was appropriated by the Senate for the purpose; that something on the order of $2,700 or $2,800 was returned; that one staff member was assigned to this particular staff, but, in addition, this staff member undertook other duties in connection with the duties of the committee.

Mr. ELLENDER. Has that staff member been provided for, or will the staff member be provided for this year?

Mr. MANSFIELD. Yes.

Mr. ELLENDER. Out of which funds will the staff member be paid?

Mr. MANSFIELD. The staff member is to be paid out of funds provided by Senate Resolution 30, which has been a continuing matter over the years. It is out of funds provided by that resolution that the staff member is paid, because her primary job is to do committee work as such. This is an added responsibility, which she assumes when visits occur.

Mr. ELLENDER. This is an innovation, Mr. President.

Mr. MANSFIELD. That is correct.

Mr. ELLENDER. It is true it was started last year.

Mr. MANSFIELD. Last year.

Mr. ELLENDER. It is out of the ordinary for the Senate to provide funds to entertain foreign visitors. I do not see why the Senate should. I thought that was a function of the State Department, because usually such visitors come to the Capitol and are escorted by members of the State Department. Why should the Senate provide separate funds for that purpose? It is something I do not understand.

Mr. MANSFIELD. I do not see what difference it makes whether the funds are taken from one pocket or another. I think it gives the Senate an opportunity to show visiting dignitaries courtesy and consideration.

Mr. ELLENDER. But the State Department has a regular fund for that purpose. The State Department has been doing it in the past. I do not see why the Senate should take over that prerogative.

Mr. FULBRIGHT. Mr. President will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I do not think the Senate should be in the position of having to ask for handouts from the State Department and having to ask the Department whether we can have certain visitors for lunch. I do not think the Senate should have to ask the State Department for money when official visitors come to Capitol Hill. Many of such visitors are members of their own legislative bodies. I think is is very undignified for the Senate to have to ask the State Department if the Department will give a lunch for us at the Capitol so Senators can entertain such visitors.

I do not think the Senator from Louisiana will insist on his objection.

Mr. ELLENDER. I am not insisting on anything.

Mr. FULBRIGHT. For example, when Mr. Mikoyan visited the Senate, the Senate should not have been in the position of having to ask Secretary of State Dulles if Senators could have a luncheon in the Capitol to entertain the visitor. The Senate should have funds to pay for that kind of luncheon.

Mr. ELLENDER. Regular funds are provided for such a purpose.

Mr. FULBRIGHT. The State Department has to approve the requests.

Mr. ELLENDER. Why should the Senate have to do this? We are establishing a precedent. We have had foreign visitors come to the Committee on Agriculture and Forestry of which I am chairman. Of course, I paid for this entertainment out of my own pocket.

Mr. FULBRIGHT. The Senator from Louisiana is a very rich man. We cannot afford to do that.

Mr. ELLENDER. I am objecting to the fact the Senate is establishing a precedent with this action. The first thing we know, other resolutions will be proposed to entertain those who come to visit us.

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

Mr. MANSFIELD. I yield to the Senator from Rhode Island.

Mr. GREEN. May I add my word of endorsement of the proposal? It was, in a sense, an experiment, which has worked very well indeed. It is astonishing the good will that has been generated as a result of entertaining visiting foreign dignitaries. We have heard from many quarters how grateful they were, and how interesting it was, and how pleased they were to come into direct contact with Senators. If the proposal were adopted that the Senate leave such entertainment entirely to the State Department, I think many of the visiting foreign officials would go back to their countries and make their reports without having the advantage of contacts with Members of the Senate.

I cannot urge too strongly that what was experimental for 1 year be continued at least until it proves to be unnecessary or unwise.

Mr. MANSFIELD. I thank the Senator from Rhode Island for his comprehensive illustration of what the proposal entails.

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

Mr. MANSFIELD. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I have no objection to the resolution whatsoever. I think it is very well to have a foreign diplomat come to Washington and be entertained by the Senate. However, the visitor does not get to know the United States

of America by so doing. I know many foreign visitors would like to visit different places in the country and see at first hand the problems which exist in those areas. Some of those interested in flood control would like to see the Ohio, or go to Missouri, and other places.

There is no particular reason why the only way to entertain a foreign diplomat is to entertain him in Washington. I believe the resolution should be all-inclusive. I am sure many foreign visitors would like to know how rural mail is delivered and how activities of that kind are handled. Such visits would make for more good will than would come about as the result of a hundred years of political discussion in the city of Washington.

I have no objection to the resolution, but I hope it will be made more all-inclusive. I should like to see some foreign visitors go to the State of the Senator from Montana and visit the national parks. I think such visits would bring about more good will than would visits to Washington.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 32) was agreed to, as follows:

Resolved, That in order to assist the Senate properly to discharge and coordinate its activities and responsibilities in connection with participation in various interparliamentary institutions and to facilitate the interchange and reception in the United States of members of foreign legislative bodies and prominent officials of foreign governments, the Committee on Foreign Relations is authorized from February 1, 1959, through January 31, 1960, to employ one additional professional staff member to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of section 202(e) of the Legislative Reorganization Act of 1946, as amended.

SEC. 2. The Secretary of the Senate is authorized and directed to pay the actual and necessary expenses incurred in connection with activities authorized by this resolution and approved in advance by the chairman of the Committee on Foreign Relations, which shall not exceed $5,000 from February 1, 1959, through January 31, 1960, from the contingent fund of the Senate upon vouchers certified by the Senator incurring such expenses and approved by the chairman.

INVESTIGATION BY COMMITTEE ON BANKING AND CURRENCY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Order No. 18, Senate Resolution 20.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 20) authorizing the Committee on Banking and Currency to investigate certain matters within its jurisdiction.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr ELLENDER. Mr. President, is that one of the regular resolutions? I thing there are three or four of them pending before the Senate.

Mr. FULBRIGHT. This is the regular one. I believe it provides for $70,000. That amount was authorized last year, and the pending resolution provides the same amount. It is for the regular activity of the committee.

Mr. ELLENDER. The resolution does not provide for an investigation into housing, does it?

Mr. FULBRIGHT. No; it does not. It is the same kind of resolution the Senate adopted last year.

Mr. ELLENDER. How much of the $70,000 was spent?

Mr. FULBRIGHT. Not all of it. The result shows good housekeeping. I am a little ashamed to ask for so little when we compare the request to other requests for money. The committee did not use all the funds authorized. Forty-five thousand dollars of it has been spent up to now. I submitted the budget to the Committee on Rules and Administration. Unfortunately, I have been in attendance on the Housing Subcommittee.

The resolution requests funds for the regular activities of the committee. Because of several pieces of legislation affecting international matters, such as the Inter-American Fund, a request will have to be made later for a supplemental amount; but the committee is requesting this year the same amount it asked last year, $70,000.

Mr. ELLENDER. Does the Senator know how the regular staff of the committee is kept busy? As the Senator knows, each standing committee has the right to employ four professional staff members and six clerical workers. In order to hire those people each standing committee is given $123,560.

Mr. FULBRIGHT. The Senator is correct.

Mr. ELLENDER. To what extent are the regular staff people used to do work which is contemplated would be covered under Senate Resolution 20? In other words, why could not the regular staff workers do such work?

Mr. FULBRIGHT. The staff members do the work. The Senator will find that the committee actually reports to the Senate more bills than any other committee in the Senate—I believe—or at least nearly as many as any other committee. The committee is engaged in a great many different kinds of activities.

In addition to the regular staff members we need specialists. For example, we were requested to investigate the situation regarding newsprint and steel scrap. We employed no one on the regular staff who was competent for that work. We must have some extra employees, especially economists, in such a field to supplement the regular activities of the staff.

The Senator asked about last year's expenditures. Of the $70,000 authorized for the 12-month period under Senate Resolution 214, the estimated expenditures through January 31, 1959, are $45,960.19, which will leave a balance of $24,039.81. We do not believe all of the money will be required. In the coming year, as I say, we have several anticipated activities more far reaching in character than those we had last year, especially with respect to the International Bank and the Inter-American Bank. We will have to hold hearings and a great deal of time will be required.

Mr. ELLENDER. Do I correctly understand that the difference between $45,960.19 and $70,000 either has been or will be returned to the Treasury?

Mr. FULBRIGHT. It is estimated that that will be the expenditure needed to finish out the year.

Mr. ELLENDER. The remark is made that that is the estimated expenditure through January 31, 1959.

Mr. FULBRIGHT. The Senator is correct.

Mr. ELLENDER. The difference then will revert to the Treasury?

Mr. FULBRIGHT. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 20) was agreed to, as follows:

Resolved, That the Committee on Banking and Currency, 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—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents, and services;

(8) securities and exchange regulation;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

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. Expenses of the committee, under this resolution, which shall not exceed $70,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL CLERICAL ASSISTANT FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. MANSFIELD. Mr. President, since the Senator from Alabama and the Senator from Minnesota are not present in the Chamber, I move that the Senate proceed to the consideration of Calendar No. 21, Senate Resolution 7.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 7) authorizing the Committee on Post Office and Civil Service to employ a temporary additional clerical assistant.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. ELLENDER. Mr. President, is this the regular resolution?

Mr. JOHNSTON of South Carolina. This is the regular resolution.

Mr. ELLENDER. There is no additional request?

Mr. JOHNSTON of South Carolina. There is no additional request.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 7) was agreed to, as follows:

Resolved, That the Committee on Post Office and Civil Service is authorized, from February 1, 1959, through January 31, 1960, to employ one additional clerical assistant to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

INVESTIGATION BY COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 22, Senate Resolution 8.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 8) authorizing the Committee on Post Office and Civil Service to investigate certain matters within its jurisdiction.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. ELLENDER. Mr. President, I believe that last year the committee received the sum of $50,000 for this investigation, and now the committee is asking for $90,000. Why is there a request for an increase?

Mr. JOHNSTON of South Carolina. The Senator is correct. This year we plan to go into a very deep study in the field of hospitalization and sick benefits. We also must consider this year the matter of the Railway Express Agency. As the Senator will notice, I have a written memorandum on the fact that we anticipate the Railway Express study. Many of the railroads have threatened to pull out from under the Railway Express Agency. We must investigate the field to see what must be done and how to set up charges in the event the Post Office Department has to go into this field. It is a very large field and will call for a great deal of study.

Mr. ELLENDER. Is that not a field for the Committee on Interstate and Foreign Commerce?

Mr. JOHNSTON of South Carolina. No.

Mr. ELLENDER. We appropriate money for the operation of that committee.

Mr. JOHNSTON of South Carolina. Part of the work now falls under the jurisdiction of the Post Office and Civil Service Committee.

Mr. ELLENDER. In what respect?

Mr. JOHNSTON of South Carolina. In other words, when one mails something at the present time, up to a certain size it is sent by parcel post. The Railway Express gets into the field when the item is larger.

Mr. ELLENDER. When did anybody ask that the matter be investigated by the committee? In other words, how did this request come about?

Mr. JOHNSTON of South Carolina. The whole committee has been thinking about this matter. When the matter was taken up before the committee the only objection raised as to the amount was that many members did not think the amount would be sufficient. The Committee on Post Office and Civil Service was unanimous in the feeling that we needed the money not only for the field mentioned but also for a study of the insurance field. We are collecting over $100 million each year from the employees of the United States.

Mr. ELLENDER. Is this the only subcommittee for which money is being requested?

Mr. JOHNSTON of South Carolina. So far as the Committee on Post Office and Civil Service Committee is concerned, it is all.

Mr. President, for the information of the Senate, I ask unanimous consent to have printed in the RECORD a statement I have prepared with respect to Senate Resolution 8.

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

Senate Resolution 8 provides $90,000 to the Committee on Post Office and Civil Service for the 12-month period ending January 31, 1960, with which to continue or undertake not less than five pressing and extremely important studies and investigations.

At the outset, I should like to anticipate and answer questions which might arise as to why the committee is seeking more money this year than it was able to utilize last year. Last year the committee was faced with an unusually large legislative program. It simply did not have the time to undertake the studies it proposes to make this year.

I should like to point out that during the 85th Congress the committee considered 231 separate legislative proposals, of which 24 were enacted into law. Among these were the complex and controversial bill to increase postal revenues by some $500 million a year, the bills which raised the salaries of over 2 million Federal employees, the bill to increase benefits of over a quarter of a million former employees on the retirement roll, and the enactment of a postal policy for the guidance of the executive and legislative branches in consideration of future postal rate increases.

These and other measures required public hearings on 65 different dates.

Over 3,000 post office nominations were considered and reported.

This year, the committee does not anticipate quite such a heavy legislative program. It intends to be just as busy, however. It intends to devote a great deal of time and effort to a number of problems, some of which are growing acute and others of which have widespread interest and implication.

First, the committee intends to continue the study and investigation of the postal service which have been carried forward by stages since first undertaken during the 83d Congress.

The study this year will give particular emphasis to appropriate research and development programs in the postal service; ways and means of improving the postal service to the public and the development of better and more modern ways of performing that service.

Second, among the acute problems on the horizon is the future of the Railway Express Agency. In recent months two major railroads have declared their intentions of withdrawing support of that agency. Continuation of this type of service to the public is of concern to the committee as it is to the business fraternity and individual citizens of the Nation.

The problems involved are complex in the extreme and not easy of solution. They must be given immediate and thoughtful attention if damage to the economy of the Nation is to be averted.

Third, it is essential that the effect of the increases in postal rates enacted last year be carefully analyzed before intelligent consideration can be given to the future upward adjustments currently being recommended by the administration.

Fourth, it is proposed to study fully the Federal employees' group life insurance program under which the Government and its employees paid over $100 million in premiums last year. This is one matter in which 96 percent of all Federal employees have a personal interest.

And, finally, it is proposed to conduct a study to develop the facts and determine the feasibility of a group medical and hospitalization program for Federal employees.

I believe the amount requested to conduct these important studies is very modest. There were some on the committee who thought it not enough. Personally, I favor taking a conservative approach. If, however, it is proved that those who thought it not enough were correct in their judgment, I shall not hesitate to return and ask for additional funds at a later date, for I am confident that the studies to be undertaken are worth whatever they may cost. However, I hope they can be undertaken and concluded with the amount requested, or less, if that should be possible.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 8) was agreed to, as follows:

Resolved, That the Committee on Post Office and Civil Service, 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—

(1) the administration by the Post Office Department of the postal service, particularly with respect to (a) research and development, (b) quality and frequency of mail service rendered the public, and (c) postal policy;

(2) the desirability of the acquisition by the Post Office Department of the equipment and facilities of the Railway Express Agency;

(3) the effect of postage rate increases on business enterprises and on the national economy generally;

(4) a group medical and hospitalization program for Federal employees; and

(5) the administration of the Federal employee group life insurance program by the Civil Service Commission.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) 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 this 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 $90,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION BY SELECT COMMITTEE ON SMALL BUSINESS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 23, Senate Resolution 16.

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

The CHIEF CLERK. A resolution (S. Res. 16) authorizing the Select Committee on Small Business to investigate certain small and independent business problems.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. ELLENDER. Mr. President, as I understand the situation, the request is for the regular appropriation.

Mr. LONG. The Senator is correct.

Mr. ELLENDER. The request has been made every year?

Mr. LONG. That is correct.

Mr. ELLENDER. The appropriation of $100,000 is an addition to the $123,560 which is appropriated to the regular committee?

Mr. LONG. Yes.

Mr. ELLENDER. In other words, the Select Committee on Small Business is entitled to the same amount a standing committee of the Senate receives, such as the Committee on Agriculture and Forestry or the Committee on the Judiciary. The committee gets $123,560 plus the $100,000.

What kind of work is being carried on which makes it necessary to provide the amount of $223,000?

Mr. LONG. $223,000?

Mr. ELLENDER. That is the amount. That is the total amount.

Mr. LONG. It is the total amount, yes.

Mr. ELLENDER. In other words, the Select Committee on Small Business receives the same appropriation received by the standing committee of the Senate, with which to hire four professional staff members and six clerical staff members. The committee is entitled to $123,560.

Mr. LONG. The Senator is correct.

Mr. ELLENDER. It strikes me that such an amount should be sufficient, yet every year the committee comes in with a request for an additional $100,000. I am wondering if that is going to be true in perpetuity, or whether there will ever be any end to it.

Mr. LONG. Yes, it certainly will be true in perpetuity so long as the committee is doing the work, because we need that many people to get the job done. More than two-thirds of the Senators refer work to the committee. It is necessary for the committee to help people who have problems under the antitrust laws. I refer to small businessmen, who are getting the worst of the deal. Legislative proposals are referred to the legislative committee. Complaints are referred to the select committee. Small businessmen, who legally have to be considered for Government procurement contracts but who are not being considered and are being discriminated against in favor of large concerns, bring their problems to the select committee.

We find, for example, a situation in which a gas war is going on, and the small petroleum stations are being driven out of business. Perhaps the Judiciary Committee has jurisdiction over legislation covering that subject, but we have been unable to obtain any results in that direction, although the chairman of the appropriate subcommittee tried to help. Nevertheless, even if the legislative committee cannot do it, someone should hold a hearing to develop the facts and make them available to the Senate.

As an example, in my home town of Baton Rouge, La., independent filling station operators are taking quite a beating. Someone should investigate and develop the facts, and see if the law is being followed. Great pressure is being brought to bear upon those people. They are getting by under very trying circumstances. The Small Business Committee has a man in Baton Rouge, La., right now investigating such subjects.

We are also conducting hearings with regard to the operators of small sawmills. They have a great many problems. Ordinarily that field would be handled by the Committee on Agriculture and Forestry, but for some time that committee has been too busy to look into this subject. After about 3 years the Small Business Committee decided to conduct a hearing and look into these problems. Last Saturday I spent 5 hours in a hearing discussing these problems. That was not the first day hearings were conducted along that line.

We are trying to do what the Senate told us to do. We believe that we need the money requested in order to do the job. Incidentally, the amount requested is less than the committee spent last year.

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

Mr. LONG. I yield.

Mr. ELLENDER. What problems did the Senator say the Small Business Committee had studied that should have been studied by the Committee on Agriculture and Forestry?

Mr. LONG. The problem of independent small sawmills. Also, the producers of timber are having some difficulty, on a nationwide basis. The Senator from Wisconsin [Mr. PROXMIRE] submitted a resolution indicating what the problems in his area were.

Mr. ELLENDER. That is, as they affect small business.

Mr. LONG. As they affect the independent small sawmills and landowners.

Mr. ELLENDER. The Senator is referring to the problem as it affects their businesses, and not to the problem of the growth of timber, which would be within our jurisdiction. Insofar as the small-business aspect is concerned, it would not come under the jurisdiction of the Committee on Agriculture and Forestry.

Mr. LONG. I presume any legislation in that field would have to be considered by the Committee on Agriculture and Forestry. We would be willing to defer to that committee. We have been willing for some time to do so.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 16) submitted by Mr. SPARKMAN on January 12, 1959, was agreed to, as follows:

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, and S. Res. 272, Eighty-first Congress, agreed to May 26, 1950, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; 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 $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ADMINISTRATION OF NATIONAL SECURITY LAW AND MATTERS RELATING TO ESPIONAGE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 24, Senate Resolution 59. I must say that from now on we shall be considering a number of resolutions from the Judiciary Committee.

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

The CHIEF CLERK. A resolution (S. Res. 59) authorizing an investigation of the administration of the national security law and matters relating to espionage.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. EASTLAND. Mr. President, this resolution involves an appropriation which is less than the usual amount for this particular subcommittee. The amount has been reduced by $65,000, as compared with the amount 2 years ago. We are turning back $20,000 into the Treasury. I think the Senate ought to cooperate with a subcommittee which is reducing its operating cost.

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

Mr. EASTLAND. I yield.

Mr. ELLENDER. The Senator is referring to the Internal Security Subcommittee, is he not?

Mr. EASTLAND. Yes.

Mr. ELLENDER. I realize that is a very important subcommittee. As the Senator from Mississippi knows, I have never opposed any of its activities. However, I have been watching the creation and growth of many subcommittees. I find that once a so-called temporary subcommittee is created, it is nearly always continued from year to year. Such committees never seem to die.

Mr. EASTLAND. This subcommittee was established by a special resolution of the Senate.

Mr. ELLENDER. I understand.

While I am on my feet I should like to point out that the Judiciary Committee has more money appropriated to it for its operations than any other committee.

Mr. EASTLAND. Does not the Senator believe it is entitled to more money? It handles the majority of the bills introduced in the Senate.

Mr. ELLENDER. When I was chairman of the Claims Committee I did all the work with one clerk. We worked.

Mr. EASTLAND. Mr. President, I am sure the distinguished Senator from Louisiana does not wish to infer that members of the Senate Judiciary Committee do not work.

Mr. ELLENDER. Frankly, I do not believe they work as hard as we did.

Mr. EASTLAND. Of course we work on these claims. Let me give an illustration in connection with another subcommittee. The Subcommittee on Immigration once handled about 100 bills a year. Now the Subcommittee on Immigration is handling from 1,400 to 1,600 bills a year. We cannot help it if the workload piles up. We are trying to do the best job we can. Here is a subcommittee with a request which is $65,000 below the usual amount.

Mr. ELLENDER. As compared with 2 years ago.

Mr. EASTLAND. Yes; as compared with 2 years ago.

Mr. ELLENDER. I am not complaining about that. I am speaking of the Judiciary Committee as a whole.

Mr. EASTLAND. Each of these resolutions can stand on its own bottom, and I am sure each one will be justified by the Senator who presents it. The resolutions were unanimously agreed to by the Judiciary Committee, and were approved by the Committee on Rules and Administration.

I have heard the debate. I have great respect for the able Senator from Louisiana. He is an able and honorable Senator. However, I have failed to hear my distinguished colleague point to one dollar that has been wasted in connection with these resolutions.

Mr. ELLENDER. The Senator evidently has not read the record.

Mr. EASTLAND. Will the Senator point to a single dollar which is being wasted? Consider the Judiciary Committee——

Mr. ELLENDER. Take the Juvenile Delinquency Subcommittee of the Judiciary Committee. That subcommittee was organized in 1953. The Senator who organized it said, "I can do all the work in 1 year." Yet that subcommittee has been continued from year to year. We have already authorized, for the study of juvenile delinquency, $602,859.82. That subcommittee is today asking for more money.

Mr. EASTLAND. I cannot think of a better subject, or a field which needs investigation more than does the field of juvenile delinquency.

Mr. ELLENDER. But the Senator cannot cure the evils of juvenile delinquency merely by holding hearings.

Mr. EASTLAND. That subcommittee has done very fine work. The Senator from Missouri [Mr. HENNINGS] will present the resolution dealing with that subcommittee, and I am sure he will justify it. I failed to hear the distinguished Senator point to a dollar that has been wasted.

Mr. ELLENDER. I could point to a great many employees who stand around and do not work half the time.

Mr. EASTLAND. Will the Senator name the person or persons who do not work half the time?

Mr. ELLENDER. Does the Senator refer to employees of the committee?

Mr. EASTLAND. Yes. Who are they? Who are the employees who do not work half the time? Name them and we will put them to work.

Mr. ELLENDER. Resolutions of a similar character to those which we are considering today called for appropriations of $3,383,500 last year. The resolutions which we have considered and will consider during the day call for $3,567,000, or an increase of almost $200,000.

Back in 1940 we began holding hearings, and we spent, for all subcommittees, the enormous sum of $140,000. This year we shall spend in excess of $3,500,000 to hold hearings before all the various subcommittees. I say that a great deal of the work which is being done by the subcommittees could and should be done by the full committees themselves.

The distinguished Senator from Mississippi spoke about the large number of bills which his committee must handle and report to the Senate. The Senator stated that the Judiciary Committee handled more than 50 percent of the total number of bills considered by the Senate. That is true. Before the Reorganization Act was passed, I was chairman of the Claims Committee. On that committee we had 12 or 13 Senators. The distinguished Senator from South Carolina [Mr. JOHNSTON] served on it, and he knows of the work we put into those bills every week. The committee was able to handle all those bills with one clerk. If we look at the record, we will see that the Committee on Claims handled over 50 percent of the bills which were considered by the Senate, which is the same amount of work that is now being done by the Committee on the Judiciary. All of this work has been transferred to the Judiciary Committee. We have provided special subcommittees which are empowered to employ lawyers to go over these bills. The point I was trying to make a little while ago was that prior to the enactment of the Reorganization Act, the Senators on the Claims Committee studied the bills themselves, without the asistance of attorneys, without having a horde of attorneys go over the bills.

Today, in addition to the $123,560 the Judiciary Committee can spend to hire four professional staff members and six clerical assistants, the committee will be given $1,392,500 with which to carry on its work.

Last year the committee received $1,134,000. There is no letup. There is always something new coming up, as will be shown as these resolutions are presented. I cannot help but repeat that, in respect to the juvenile delinquency resolution which was presented to the Senate in 1953, I can well remember the Senator from New Jersey, Mr. Hendrickson, asking for $75,000. Someone had sold him the idea that if he could go out and make a study of juvenile delinquency, we could do a great deal about it. He said that he could complete his studies with that amount of money. That is what he said the first year.

However, by the next year he asked for double that amount. Now the subcommittee is still in operation. As I pointed out a short time ago, we have already authorized $602,859.82. We are being asked—I do not remember exactly the amount involved—for quite an amount of money to continue this investigation. In spite of that fact, all that we have been doing in that field is to study and study juvenile delinquency, and doing nothing about it. To my way of thinking it is just so much wasted money. Why do we not do something about it? We know the problem exists.

Insofar as continuing these investigations is concerned, to my way of think-

ing it will just be a waste of funds. We are not going to get anywhere with it. That money will be used to give a few lawyers a few years of employment. Many of them have been on the Hill ever since I have been in the Senate.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 59) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 jurisdiction specified by rule XXV of the Standing Rules of the Senate, insofar as they relate to the authority of the committee hereunder, to make a complete and continuing study and investigation of (1) the administration, operation, and enforcement of the Internal Security Act of 1950, as amended; (2) the administration, operation, and enforcement of other laws relating to espionage, sabotage, and the protection of the internal security of the United States; and (3) the extent, nature, and effect of subversive activities in the United States, its Territories and possessions, including, but not limited to, espionage, sabotage, and infiltration by persons who are or may be under the domination of the foreign government or organizations controlling the world Communist movement or any other movement seeking to overthrow the Government of the United States by force and violence.

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. Expenses of the committee, under this resolution, which shall not exceed $224,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF NATIONAL PENITENTIARIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order No. 34, Senate Resolution 60.

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

The CHIEF CLERK. A resolution (S. Res. 60) authorizing an investigation of the national penitentiaries.

Mr. MANSFIELD. This is the usual $5,000 appropriation. Every year some of the appropriated funds are returned.

Mr. HENNINGS. I succeeded the distinguished senior Senator from South Carolina [Mr. JOHNSTON] as chairman of the subcommittee, this being my third year as chairman and my sixth year as a member. The money is used for expenses of actual visits of members of the subcommittee and other members of the Committee on the Judiciary, who find such visits helpful for their information and find it helpful for the welfare of the inmates of the institutions; but, most of all, such visits are helpful to those who are dedicating their lives to the rehabilitation and, at times, to the necessary restraint and custody of those who are a menace to society. This amount has been appropriated every year, and practically all of it has been turned back, within a thousand dollars or so. The amount requested is $5,000.

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

Mr. HENNINGS. I am glad to yield to the distinguished Senator from North Dakota, who is a member of the subcommittee, and a very active member of the subcommittee.

Mr. LANGER. We always turn back about $4,000 of the $5,000 appropriated. One of the good things we have accomplished is to make it possible for prisoners to send their letters directly to the Supreme Court, and to Senators or Representatives from their State. That has done a great deal of good.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 60) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 jurisdiction specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and inspect national penitentiaries.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; 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 $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF MATTERS PERTAINING TO IMMIGRATION AND NATURALIZATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 25, S. Res. 55.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution, as follows:

Resolved, That the Committee on the Judiciary, 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 jurisdiction 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 immigration and naturalization.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) 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 $96,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. EASTLAND. Mr. President, this is a request for the normal appropriation. Last year we received $90,000, and we turned back $2,500. There is an increase in the appropriation requested of $6,000, which is to take care of the increase in salaries which Congress voted last year. The subcommittee has stayed current with its work. During the 85th Congress, 1,865 private bills were referred to the subcommittee. Of that number, it disposed of 1,655. It had 4,635 cases involving adjustment of status pending before it, of which it disposed 3,776.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

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

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 55) was agreed to.

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar 26, Senate Resolution 57.

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

The CHIEF CLERK. A resolution (S. Res. 57) authorizing an investigation of the antitrust and monopoly laws of the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. KEFAUVER. Mr. President, the amount appropriated to this committee last year was $365,000. The $395,000 which is asked this year represents the amount appropriated last year plus the

10 percent increase in employees' salaries, which the Senate voted, and the increase in the civil service deposit requirement.

The request is unanimous on the part of the subcommittee and the Committee on the Judiciary, with the exception that the Senator from North Dakota [Mr. LANGER] presented a forceful plea for his amendment that $1 million should be appropriated for the work of the committee.

The country is going through a period of concentration, of mergers, of inflation, and of high prices. The committee, for the past year and a half, has held important and effective hearings, which I think have done great good in helping, at least, to hold prices down to some extent, especially the administered prices in the steel industry and the automobile industry, and through the work of the Senator from Wyoming [Mr. O'MAHONEY], in the oil industry.

The committee has held hearings in connection with monopoly efforts in the milk industry and the asphalt roofing industry. Under the Senator from Wyoming [Mr. O'MAHONEY], hearings have been held as to the adequacy of State commissioner control of insurance matters; and under the Senator from North Dakota [Mr. LANGER], in connection with insurance and rentals, costing an exorbitant amount for small credit groups.

The committee expects to continue its study of oil and automobile problems, and also to make studies of the costs of food, especially bread; certain drugs, fertilizers, the replacement of farm machinery, paper boxes, automobile financing and insurance—on which two bills were introduced today—rubber tires, and other matters.

I call the attention of the Senate to the fact that the President in his Economic Report of January 20, 1959, made some 20 recommendations for specific legislation. I refer to page 67 of the report, where immediate hearings are asked concerning 5 of these recommendations. They are very technical matters and will involve lengthy hearings.

Incidentally, the committee has had 200 separate hearings in the last year. Some of them were held in the morning, some in the afternoon, and some at night.

Among the President's recommendations are, first, a bill to require notification to the antitrust agencies of proposed mergers of businesses of significant size engaged in interstate commerce. The committee has held some hearings on this subject; it will have to have more.

Second, to empower the Attorney General to issue civil investigative demands in antitrust cases when civil procedures are contemplated.

Next, to make Federal Trade Commission cease-and-desist orders final when issued for violations of the Clayton Act, unless appealed to the courts.

Next, to authorize the Federal Trade Commission to seek preliminary injunctions in merger cases where a violation of law is likely. Judge Hanson has recommended that we hold hearings on a proposal to put section 7 of the Clayton Act to a test under section 2 of the Sherman Antitrust Act, believing that this would help in the enforcement of the antitrust laws.

These are complicated, difficult, intricate problems. For instance, we have had before us previously, and it has been introduced again this year, a bill to amend the Robinson-Patman Act. The committee has held extensive hearings on this subject, and will have it up for consideration again this year.

I think if ever there was a time when the work of the committee in these fields was needed, it is now, when the Nation is faced with economic influences which are getting bigger, bigger, and bigger, and more small entrepreneurs are being pushed out. It is imperative that we do something to improve and better enforce the antitrust laws, so as to give the small fellow a better break. We have done the best we can so far; we could do more at this session of Congress.

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

Mr. KEFAUVER. I yield.

Mr. ELLENDER. Does the committee act in the capacity of a court? How does the Senator conclude that prices have been lowered?

Mr. KEFAUVER. Our hearings are on legislative proposals concerning matters in the jurisdiction of the committee. But I think the public interest we aroused by throwing the spotlight on, for instance, what the effect of a large increase in the price of steel would have been last July was beneficial. I think that spotlighting the inflationary effects of the proposed increased cost and the delay in putting it into effect undoubtedly held down the amount of the increase somewhat.

Mr. ELLENDER. But there was an increase, was there not?

Mr. KEFAUVER. There was an increase, but it was not so much as it was the year before, although the wage increase was the same.

Mr. ELLENDER. Since the committee has been operating, how much proposed legislation has been submitted to the Senate and passed by Congress concerning any matter affecting the antitrust laws?

Mr. KEFAUVER. Some bills have been passed by the Senate. Last year no bills were passed by the Senate, except a meat bill which the Senator from Wyoming [Mr. O'MAHONEY] was instrumental in having passed for his guidance.

Mr. ELLENDER. The meat bill was introduced by the Senator from Wyoming?

Mr. KEFAUVER. Yes. Also, the Senate passed the good-faith automobile bill for the protection of small dealers.

But the small number of bills passed has not been because many members of the committee have not tried hard. There has been much opposition from the other side of the aisle, as the Senator from Illinois, I think, would testify.

The Senate passed a finalization bill, which made decrees of the Federal Trade Commission and other decrees under the Clayton Act final, but the bill died in the House of Representatives.

Mr. ELLENDER. Does the committee expect to report to the Senate proposed legislation on these matters?

Mr. KEFAUVER. We expect to report to the Senate bills relating to each of the five proposals suggested by the President, on some of which we have been working. We expect to report quite a number of others on which it is expected the Committee on the Judiciary will vote favorably.

Mr. DIRKSEN. Mr. President, I shall not detain the Senate long on this matter. There have been occasions when I have appeared before the Committee on Rules and Administration to oppose some of the amounts involved. But I have discovered over a period of time that if the amonut is inadequate and the work goes on, sooner or later there must be a request for a deficiency or a supplemental amount. I do not think the discussion goes to the heart of the question finally. I think somewhere along the line the whole investigative function will have to be better coordinated and probably placed in a single group.

It runs in my mind—and probably our distinguished Parliamentarian would correct me if I were wrong—that some 35 or 40 years ago the investigative function was only sparingly used by the Senate. It came into full flower in connection with Teapot Dome, back in 1924. That investigation seemed to standardize the technique. It put the Teapot Dome matter on the front page and kept it there for a long time. It certainly augmented the stature of Senator Walsh of Montana, who was a great prosecutor, if any one of that nature ever came to this body.

Over the years since 1924 there have been a number of circumstances which, I think, have heightened interest in the investigatory technique. I do not know how many committees in the House of Representatives have dealt with the issue of subversion and communism. They finally eventuated in the forming of a standing committee, the Committee on Un-American Activities. A comparable function is carried on in the Senate by the Subcommittee on Internal Security of the Committee on the Judiciary.

Then the Committee on Government Operations came into the field when I was a member of that committee. It became known to the country, not as the Committee on Government Operations, but as the McCarthy committee. That committee, too, I think, rather intensified interest in the investigative function.

Today there are many committees and subcommittees which investigate matters properly within their jurisdiction. That is certainly so. But they cover a very wide field. I have looked at some of the subjects they have considered; investigation of world health; investigation of foreign policies; investigation of mutual aid; investigation of juvenile delinquency; investigation of trademarks and patents; investigation of naturalization and immigration; investigation of monopoly and antitrust.

I do pay tribute to the diligence of the distinguished Senator from Tennessee. If any Member of this body has ever been more diligent than he in the

pursuit of that subject matter, I would not be able to name him. In fact, I used to complain a great deal because there were not sufficient hours in the day for me adequately to address myself to the responsibilities of the Appropriations Committee, the Judiciary Committee, the Committee on Reduction of Nonessential Government Expenditures, and other committees; and I found myself in a state of semifatigue, as a result of trying to keep up with my very distinguished compatriot from Tennessee.

Mr. KEFAUVER. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. KEFAUVER. I appreciate the words and the compliment of the Senator from Illinois.

Mr. DIRKSEN. I assure my colleague that I meant it as a compliment.

Mr. KEFAUVER. Although the distinguished Senator from Illinois may have been tired when he came to the committee, he was effective enough to prevent our committee from having the Senate pass many measures which should have been passed by the Senate and also by the House of Representatives.

Mr. DIRKSEN. I accept that compliment with the utmost grace and good spirit. I remember the line in the "History of the Roman Empire," by Edward Gibbon; I believe he said progress is made, not by what goes on the statute books, but by what comes off them. So, in my humble way, I have devoted my talents in the interest not only of getting laws off the statute books, but, even more important, of keeping laws from going onto the statute books.

I know my friend recalls that I made a herculean effort for a long time to prevent the enactment of what has been known for some time as Senate bill 11, dealing with the Robinson-Patman Act. I think the RECORD will show that I participated in the consideration of the proposed amendment of the Packers and Stockyards Act. I see my very distinguished friend, the Senator from Wyoming [Mr. O'MAHONEY], in the Chamber this afternoon. He and I have tussled, season in and season out; and finally we got an agreed-upon compromise bill. But if my ears did not deceive me, I believe I heard, either today or some other day recently, the introduction of a bill further amending the Packers and Stockyards Act. So, I believe my work is cut out for me again, unless this one is a little more agreeable than the preceding one.

Mr. President, these are some of the tasks we face. Certainly, with the passage of time they become legion. In the 83d Congress, I believe the actual expenditures by the Senate for committee investigations were somewhat in excess of $3 million. In the 84th Congress they were in excess of $4,750,000. In the 85th Congress, the last one, they were nearly $5,750,000. And judging by the generous beginning we make now, I apprehend that before the curtain rolls down on the 86th Congress, such expenditures probably will exceed those of any of the preceding Congresses, because I see the crusading zeal and spirit which already are manifesting themselves, and I see the imaginative approach; and, for aught I know, it will not be long before we shall be investigating conditions on the moon, for this is the moon age and the space age.

So, like Alexander, who lamented the fact that there were not other worlds to conquer, someone will be coming along with a resolution which will require the appropriation of additional funds.

So I say, regarding the whole approach, I believe more coordination is necessary. This problem certainly receives and deserves the best consideration of the Congress. The power of investigation is a frightful one. When it is coupled with the power of subpena and the power to call for books and records, it is no wonder that the citizenry stand in awe. I have detected, I think, that when citizens, even men of great affairs in the country, come before a congressional committee, there is a sense of awe and a sense of respect for Government techniques; and I apprehend that a little fear goes along with them, as the witnesses wonder—inasmuch as the members of the committees are not inhibited by the rules of evidence carefully prescribed in the case of proceedings in the courts—about what will happen. As my colleagues know, in connection with such inquiries, the sky is the limit; there is no inhibition upon a Senator as to the line of questioning he may pursue with respect to any subject matter. It can be related or germane, or it can be unrelated and ungermane. So the citizenry of the country have an interest in such investigations; and when they are summoned, with their books and records, they wonder exactly what will happen and what the impact will be, not only on the well-being of the industry they represent, but also on the well-being of the country and on the thinking of the country.

Then, too, such proceedings become costly. Recently we received testimony from representatives of the steel industry. I was advised privately that it cost them $500,000 to prepare for that hearing. I have no way of knowing whether that is true. But we see great hosts of people come to the committee hearings, and we see the books and records they are required to produce; and we realize that they have to be rather careful in their statements, because there sits a distinguished gentleman—now on the floor of the Senate—for whom I have the utmost respect; he is a great scholar in the economic field. I refer to my friend, Mr. DIXON. Of course, no witness could afford to respond to a question by a statement that was not accurate, because any witness knows he is likely to be caught up with. So, too, they find it necessary to search their records, and the testimony must be accurate. There must be a staff of accountants and auditors and persons learned in the entire domain of economics, who will be sure that their answers are responsive, and that the data and other information they give to the committee are accurate and authentic in every particular. So they have a great interest in such matters.

Thus, the subpena power and the power to summon before a Senate committee result in an ordeal for those who are called. So that power is to be very, very carefully exercised, in order that the Senate will not fall into disrepute in the eyes of the country and in the eyes of those who in good respect and good grace come before our committees because they must come, when they are subpenaed. To be sure, many of them are invited, and a subpena is not always necessary; but there are occasions when a subpena is necessary.

We discover that there is now something of a reaction in the country, particularly in a field so shot through with emotionalism. Certain of the cases have been brought before the Supreme Court, particularly cases in which those who have been questioned have fought against being held in contempt of the Senate or in contempt of the Senate committee concerned. In that connection, there are questions as to whether the committee has departed from or has exceeded its authority; there are questions as to whether a quorum of the committee was present at the time when the questions were asked; there are questions as to whether a witness was under obligation to respond to a given line of questioning.

In that connection there comes to mind one of the cases in which the Supreme Court reversed its previous opinion; and, on that basis, we entertained and discussed an alternative proviso in the statute, so we could meet the objection which had been registered by the Supreme Court.

All those things, then, I believe, argue for the validity of the premise I have tried to lay down, namely, that I believe the Congress should reexamine the entire investigatory technique. Perhaps the Congress should set up a pool; and perhaps we could conduct it, at least in part, if not entirely, in the manner of the Royal Commissions in Britain. The testimony before those Commissions is never printed; all that comes forth is the report of the Commission. But it becomes an honor to serve on such Commissions. The appointments are made by the Crown, and men of substance and understanding vie with one another in the hope of being designated to serve on one of the Commissions. They receive no compensation for it. But when they have made a report it becomes personal knowledge, gospel, and the predicate for what may issue out of their parliamentary body, the House of Commons.

So, before we finish with these resolutions—and I certainly shall not resist these money requests—I wish to call attention to the fact that as each standing committee exercises its subpena power, as we create select and special committees to deal with other matters, there results a welter of investigations, and the question arises, Are we proceeding on diverse roads in the hope of finding an answer in a field that comes within the jurisdiction of a good many committees?

I am sure the Senator from Tennessee will not object if I allude for a moment to the hearing under way at the present time. The committee had a very distinguished group of economists before it, on the question of dealing with administered

prices and what contribution such prices make to the cause of inflation. I think in some places we may be shucking a little old straw, but I do not boil about that. In fact, I would like to see some more economists come before the committee.

But we must not forget that the Finance Committee has jurisdiction in the whole fiscal and monetary field, and has great latitude having to do with fiscal and monetary policies. There exists the Committee on Banking and Currency. I always felt the question of inflation was properly in the field of that committee. Now we are dealing with the question of inflation, and the chairman said, at the opening of the hearings, that inflation is the uppermost, primary challenge before the country. The House of Representatives will be doing some work in the field. If the House has not already done so, it is trying to set up a rather high-level committee.

So we proceed on parallel lines to try to find answers to generically the same problems. I believe these approaches can be coordinated. If we are going to make an attack upon the fortress of inflation, let us do it as a determined, cohesive effort, with some of the very best mental resources and every bit of talent we can get and the finest staff we can assemble, because it involves a big and challenging question.

That brings into focus what I said at the outset—the necessity of some coordination of these investigative techniques. If we can do it by means of resolution, I shall be more than glad to support an effort in that field. In so doing, I think the results will be infinitely more objective and infinitely more fruitful. Then it will not be said—and I think at times it is improperly said—that these are only political investigations, which sometimes eventuate into witch hunts. For there is only one way of justifying the investigatory power, and that is by the fruit on the tree.

Having said my say, I hope this statement will address itself to the attention of others, and that as a result, if this is just a mustard seed to be planted today, it will grow into something substantial later. I shall be happy if that kind of result can be accomplished.

I see my genial friend from North Dakota rising. I think I have some notion of what he has in mind. I shall listen with interest.

Mr. LANGER. Mr. President, I want to compliment my friend from Illinois for the very beautiful language he uses. It is always a delight to listen to him. Any time the distinguished Senator from Illinois talks, I love to sit by and hear the words flow out. But, Mr. President, I shall vote for the resolution with the greatest reluctance, because the amount is absurdly inadequate.

First of all, Mr. President, I ask unanimous consent that I may have printed at this point in my remarks a letter I wrote to the chairman of the Committee on Rules and Administration, together with a statement I prepared at the same time.

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

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
January 27, 1959.

Hon. THOMAS C. HENNINGS, Jr.
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: When I was chairman of the Senate Judiciary Committee, I inaugurated the Senate Antitrust and Monopoly Subcommittee. No appropriation was made for that subcommittee, but we proceeded with our personal staffs to do a job for the people. The famous Dixon-Yates deal was the moving force of that new Subcommittee on Antitrust and Monopoly. Since that time, the appropriations to the subcommittee have been very meager in comparison with the problem of protecting the American people from the giant monopolies and concentrated industries.

You cannot fight an enemy armed with intercontinental missiles and hydrogen bombs with only popguns as your weapons. Nor can the Senate Antitrust and Monopoly Subcommittee with peanut appropriations meet the challenge to curb the monopolies and concentrated industries which have created such an impact on our economy.

During the automobile hearings last year, Mr. L. L. Colbert, president of Chrysler Motor Co., stated that it cost his corporation a half-million dollars to prepare for the 1 day it appeared before this Antitrust and Monopoly Subcommittee hearing. Now, here is an illustration of just one of the many giant corporations that the Antitrust and Monopoly Subcommittee must observe or investigate as to its antitrust and monopoly activities and that one corporation spent one-half million dollars to prepare itself for a 1-day hearing; whereas the Senate Antitrust and Monopoly Subcommittee is expected to investigate and conduct hearings affecting all of the giant corporations of the United States for a 365-day period on a budget of only $395,000. The subcommittee hearings on the Middle East oil crisis show that the increase of the price of oil and gasoline cost the Federal Government alone an additional $85 million for expenditures of military services and that the total cost of the Federal, State, and municipal governments and to the consuming public was approximately put at $1 billion. This is only one of the giant industries that come before our subcommittee.

With kind regards and every good wish, I am,

Sincerely,

WILLIAM LANGER.

INDIVIDUAL VIEWS OF SENATOR WILLIAM LANGER JUSTIFYING AN APPROPRIATION OF $1 MILLION FOR THE U.S. SENATE ANTITRUST AND MONOPOLY SUBCOMMITTEE

Although I am sympathetic to the request of the majority members of the U.S. Senate Antitrust and Monopoly Subcommittee for an appropriation of $395,000 for the ensuing year of February 1, 1959, to January 31, 1960, I must most emphatically urge the Senate Judiciary Committee, the Senate Rules Committee, and the full Senate body to adopt my amendment to increase the Senate Antitrust and Monopoly Subcommittee's appropriation to $1 million.

You cannot fight an enemy armed with intercontinental missiles and hydrogen bombs with only popguns as your weapons. Nor can the Senate Antitrust and Monopoly Subcommittee with peanut appropriations meet the challenge to curb the monopolies and concentrated industries which have created such an impact on our economy.

In the recent hearings of the Senate Antitrust and Monopoly Subcommittee, in dealing with inflation and administered prices, Senator DIRKSEN asked Mr. L. L. Colbert, president of the Chrysler Motor Co., how much did it cost the Chrysler Motor Co. to prepare itself for these hearings. Mr. Colbert answered that he believed the total cost would amount to one-half million dollars. Now, gentlemen of the Senate, here is an illustration of just one of the many giant corporations that the Antitrust and Monopoly Subcommittee must observe or investigate as to its antitrust and monopoly activities, and that one corporation spent one-half million dollars to prepare itself for a 1-day hearing; whereas the Senate Antitrust and Monopoly Subcommittee is expected to investigate and conduct hearings affecting all of the giant corporations of the United States for a 365-day period on a budget of only $395,000. I would say that, from the comparison in the time consumed and the record created, both General Motors and Ford Motor Co. must have each spent at least one-half million dollars and possibly twice as much to prepare for those same hearings.

When I was chairman of the Senate Judiciary Committee, I inaugurated the Senate Antitrust and Monopoly Subcommittee. However, the Senate did not appropriate any funds whatsoever for the work of the subcommittee. With the help of my own personal staff, I began the investigation and hearings on the famous Dixon-Yates deal. Senator ESTES KEFAUVER succeeded me as chairman of that subcommittee and we conducted the Dixon-Yates investigation and hearings to its ultimate conclusion which resulted in the cancellation of the Dixon-Yates contract and saved the U.S. Government millions of dollars and protected the public power policy of the United States.

The report of the Senate Antitrust and Monopoly Subcommittee, entitled "Monopoly in the Power Industry," issued in 1955, contained basic facts and specific recommendations. It is interesting to note that because of insufficient appropriations, the subcommittee was unable to pursue those recommendations. These suggested hearings should be held. For the information of the Senate, I present some of those recommendations:

"BROAD MONOPOLY INQUIRY NECESSARY

"On the basis of evidence outlined above and elaborated in subsequent pages of this report, the committee recommends that it be provided with adequate funds to undertake a full investigation of monopolistic trends and abuses in the power industry as a basis for recommending changes in existing laws or in the administration of existing laws to protect the country against the threat of an unlimited private power combine of such gigantic proportions as to be inconsistent with the survival of genuine private enterprise or the successful functioning of democracy itself. The committee should investigate and report on the following:

"(1) The interrelations between public utility companies supplying and distributing electric energy, together with (a) the extent to which nonutility corporations own or control the voting stock of such public utility corporations or exercise direct or indirect influence over the management of such corporations by any other means; (b) the relationship of any other nonutility corporations providing services, supplies, or equipment to such electric utility corporations, whether affiliated or not; and (c) any financial or other practices of such companies which may directly or indirectly affect the public interest in control of monopoly or concentration of economic power or the political influence associated therewith;

"(2) The relations, financial or otherwise, between banks, insurance companies, fiduciary institutions, investment trusts, endowments, foundations, stockbrokers, underwriters, or any other corporate or institutional owners of or dealers in or agents for

the owners of securities and public utility corporations supplying or distributing electrical energy or holding companies owning the stocks of such corporations, or corporations, partnerships, or persons providing services, supplies, or equipment to such electrical utilities; and the practices of such corporations, partnerships, or persons insofar as they may directly or indirectly affect the public interest in control of monopoly or concentration of economic power in the power industry or in other industries;

"(3) Whether, and to what extent, the corporations and other agencies noted above, or any of the officers or employees thereof, or anyone on their behalf or on behalf of any organization of which any such corporations may be a member, through the expenditure of money or through control of the avenues of publicity, have made any, and what, effort to influence or control public opinion in the interest of establishing or maintaining private monopoly as against Federal, municipal, or other public, or cooperative ownership of the means by which power is developed and electric energy is generated, transmitted, or distributed; or to influence or control the election of the President, Vice President, or Members of the United States Congress; or to influence or control any other elections or referendums which involve issues of monopoly in the business of supplying and distributing electricity to residential farm, commercial, or industrial consumers;

"(4) The effectiveness of the exercise by local communities of the right to choose public or cooperative electric service as a supplement to utility regulation in controlling monopolistic practices in the electric power business; and the function or responsibility of the Federal Government in enabling such local communities to introduce public or cooperative competition into what might otherwise become a field dominated by giant private monopolies.

"SUBJECT OF THE INQUIRY MUST BE MONOPOLY IN ALL ITS ASPECTS

"Finally, the committee emphasizes the fact that such an investigation constitutes just the first stage in an overall monopoly study which must help to shed light on the direction of the American economy.

"Perhaps the most significant byproduct of World War II, in terms of long-range effect upon our economy, was the impetus it gave to increasing concentration of economic power. This tendency has been reinforced and accelerated during the last 4 years. Fundamental changes in our economic organization are increasingly visible, and it has not yet been possible to evaluate and assess the full effects of this trend to bigness.

"The history of the past 60 years has seen the development of monopoly, from trusts, to holding companies, to corporate mergers, with an ever-increasing concentration of financial control in the background. As we have already noted, we seem to be in the throes of the third great forward surge of monopoly in the history of our country. The last two such movements ended in catastrophe for the Nation, accompanied by serious loss of our national wealth and grave waste of our human resources, consequences that are not lightly to be dismissed. And the last great merger movement was characterized particularly by the pyramiding of control through public utility holding companies.

"The daily press tells us that American business is today combining, uniting, grouping and regrouping, merging, remerging and merging again. Competition as a way of life is under constant attack and small, independent business is on the decline. We, therefore, recommend that this investigation develop facts concerning the scope of the merger movement, the extent and strength of the thrust toward monopoly, and the decline of competition in our economic life.

"With all these facts before us, we feel that it is necessary and, indeed, long overdue, for Congress to make an examination into: (1) Changing concepts of competition and monopoly experience in the light of recent economic developments; (2) the rise of new financial and industrial oligarchies, and highly integrated forms of business and management; (3) business practices aimed at limiting or eliminating competition; and (4) methods of Government regulation to control all these in the public interest.

"The foundation of our antitrust laws, designed to deal with this very problem, the Sherman Act, is now almost 65 years old. On that foundation has been erected a jerry-built structure of supplementary, confusing, and sometimes conflicting laws, spread over a long period of time, and encrusted with a gloss of judicial interpretation. These sometimes obscure the original purposes and intent of congressional antimonopoly policy, and often defy the efforts of the most capable judge to enforce, or able lawyer to understand them.

"Perhaps codification of all our multitudinous antitrust laws is in order. Certainly revisions are badly needed, if only for the sake of clarification and bringing our antitrust laws into consonance with our changing economic system. And perhaps new and better tools and policies of enforcement are called for. For this reason Congress must concern itself not only with its important policymaking function in the field of monopoly but also with enforcement of these policies by the executive branch of the Government. For this will determine, in large measure, whether the congressional intent is being carried out or frustrated. The investigation, which we here recommend, is, therefore not only necessary to the work of Congress, but also uniquely a function of Congress itself. Furthermore, because these issues squarely involve the problems of monopoly, such an investigation is the direct responsibility of the Subcommittee on Antitrust Monopoly and Legislation."

In January of 1957, the major oil companies announced an increase in the price of crude oil. Later, the processors of gasoline announced an increase in the price of gasoline resulting in a 1-cent per gallon increase in the price of gas to the consuming public as well as to the Government of the United States and to the State, county, and city governments.

Rear. Adm. O. P. Lattu, Executive Director of Military Petroleum Supply Agency, Department of the Navy, stated in his appearance before the subcommittee hearings on the emergency oil lift program and related oil problems, that "we estimated that the recent price increase would add approximately $85 million to the expenditures of military services for such petroleum products for the next 12 months." It has been estimated that the entire cost to the Federal, State and city governments and to the consuming public as a result of this price increase of oil would amount to approximately $1 billion.

The subcommittee firmly believes that its announced investigation and hearings had a marked effect on the program of the Department of Justice in urging a grand jury investigation of major oil companies' activities during the emergency oil lift program. This Federal grand jury indicted those major oil companies and the case is now pending before the Federal courts. Had our subcommittee not taken the immediate action that it did, you can speculate as to whether any effective action would have been taken against these oil companies. Further, as a result of our investigation and hearings, the public became informed of the matter and gradually price reductions in crude oils and gasoline were being noted.

I just read recently where the major oil companies were planning a price increase. Our subcommittee should have sufficient funds to fully investigate this price increase to assure ourselves the American public is not being taken advantage of by such price increase.

We have the matter of steel price increases of July 1957 of $6 per ton. We held hearings and even at the conclusion of those hearings, the steel industry went ahead in July 1958 and increased the price of steel another $6 per ton. Before the session ended last year, we had a very short hearing with representatives of the Federal Trade Commission and the Department of Justice discussing the problem generally. In order for us to get all of the facts in the matter, it would require even a more intensive investigation and hearings as to the 1958 price increase than was conducted after the 1957 price increase. As I stated earlier, you cannot fight monopoly and giant concentrated industries with "peanut" appropriations.

Gentlemen, I am very much interested in the reasons for the price increases of farm machinery and replacement parts of farm machinery. From the information that I have received, the price increases had a devastating effect on the farmers who are getting less for their crops but are paying more for everything that they use on the farm. The cost of replacement parts of farm machinery is almost unbelievable and we must find the reason for that price increase. This affects every farmer in the United States and it amounts to millions upon millions of dollars. To find the true answer to such a problem, you must have an adequate staff of experts who will have the facilities to dig out the true facts in the matter.

I have had many State officials tell me that State commissions were ineffective in curtailing rate increases by utilities, such as telephone companies, the railroad, water, gas, and electricity, because the State legislatures would not appropriate enough money to provide them with adequate expert staff members who would be able to dig out the facts and prepare a strong case against those utilities. The utility companies spend thousands upon thousands of dollars for the best experts in the field to acquire rate increases which come out of the pockets of the people. You can sympathize with the State legislature in not making sufficient appropriations, because most States do not have the resources from which to fight these giant companies; but who can say that the Federal Government of the United States, with its vast resources, hasn't sufficient funds to appropriate to fight the giant monopolies,and concentrated industries which take advantage of the 175 million people in this great country of ours.

I again say, it is almost ridiculous that just one corporation can spend one-half million dollars to prepare for a 1-day hearing; whereas the entire appropriation for our subcommittee to fight all monopolies in concentrated industries is $100,000 less than what was spent by the Chrysler Motor Co.

Because of our limited staff, we have been unable to get into many areas of investigation which we must do if we are expected to curtail the monopolistic and concentrated powers of those industries. Why, we learned in the investigation and hearings on the meatpackers bill that the Supreme Court of the United States in 1921 curtailed the power of the giant meatpackers by prohibiting them from having retail outlets in the meat industry. Also, because of monopolistic practices of certain retail meat and grocery chains, they became so large and so powerful that they entered into the meatpacking business and by doing so held many independent meatpackers at their mercy. I am thankful to say that, although S. 1356, the meatpackers bill, did not pass in the form that the Senate Antitrust and Monopoly Subcommittee desired, at least we were able, because of our investigation and hearing, to prevent

the giant retail chains from escaping jurisdiction of the Federal Trade Commission on the basis they had bought interest into the meatpacking business and were considered meatpackers under the law. However, there is plenty of room for investigation in the giant retail food chains who have become so tremendously large that the independent grocery store has almost become a thing of the past.

Many people cannot understand why the wheat farmer of North Dakota and other wheat farmers in the Great Plains States of the country are getting less and less for their wheat, while the consuming public has to pay more and more and more and more for the price of bread.

Gentlemen, every year the price of automobiles goes up. Every year the price of steel, aluminum, and other metallic products goes up and up and up. The cost of living has gotten so far out of proportion that if a salaried worker does get a pay increase the purchasing power of this pay increase is not as strong as it was a year before.

And what about the poor salaried worker who is not in a position to get periodic pay increases, and what about people who live on pensions, social security, or people who, 20 years ago, purchased an annuity with the hope that they could live on $150 or $200 per month and today are facing difficult times because of the constant inflation and price increases that confront us. These are vital things that only the Senate Antitrust and Monopoly Subcommittee can do anything about and we just can't do it with peanut appropriations.

The subcommittee in its letter of January 5, 1959, to Chairman JAMES O. EASTLAND, Senate Judiciary Committee, states more fully the proposed work of the subcommittee than can be accomplished within the $395,000 budget. A review of those activities need not be more fully stated here, except to reiterate that the subcommittee needs a million-dollar appropriation in order to protect the financial stability of our country and its people.

Mr. LANGER. Mr. President, this committee, hard working as it is, is entirely understaffed. We do not begin to have the number of lawyers we should have. I think my distinguished friend from Illinois will bear me out. For example, in the General Motors and the automobile investigation, one of the witnesses was asked how much it had cost General Motors to prepare for the hearing. The witness replied "One-half a million dollars." Here we have just a few Senators and a few lawyers on our staff. We are supposed to investigate one monopoly after another.

What do we find? We find the cost of living going up and up and up. A wonder drug comes on the market, and the people are charged any price the companies wish to charge them. Of course, pharmaceuticals should be investigated.

Let us take farm machinery. If one goes to the State of Louisiana, where my distinguished friend from Louisiana lives, he will hear the same cry that he can hear in North Dakota. For example, the canvas for a combine which, 6 or 7 years ago, cost $17, now costs $98. If a farmer wants to buy a combine, he learns that the same machine which cost him, 6 or 7 years ago, $3,500 or $4,000, now sells for $10,000.

It is the duty of this committee to investigate and ascertain why such high prices are being charged, and whether or not a monopoly exists. Four or five concerns manufacturing a certain piece of machinery can charge people whatever they want to. It is true of many other businesses.

The Senator from Wyoming [Mr. O'MAHONEY], I believe, brought out the fact that when the price of oil was increased 1 cent a gallon, it cost the U.S. Government $85 million, and it cost the people of the United States $1 billion.

The committee made some investigation into the oil problem. The Senator from Wyoming [Mr. O'MAHONEY] and the Senator from Tennessee [Mr. KEFAUVER] have done a great job, but they have done it with limited means. It is something like sending out a fellow with a revolver against a tank coming down the road.

The common people have no place else to go to, when it comes to the high cost of living, except the committee, because, as my distinguished friend has just stated, the committee has subpena power. It can drag before the committee the books of companies. But after the books have been dragged before the committee, the committee needs accountants to go over the books and understand them. The committee needs lawyers. So we have a hopelessly handicapped committee, with a staff which is totally inadequate.

I give notice now that I intend to pursue this matter further before the committee, and get a record vote to determine whether the committee is going to have enough money to do our duty as the committee should, or whether it is not.

I will add that in the last campaign, all over the great State of North Dakota, in every county newspaper, the opposition took big advertisements saying that in 1952 a drill cost so much money and that it had gone up 100 percent or 125 percent, and also, put us in office and we will reduce the cost.

The Democrats should reduce the cost of living, because the people took them at their word. I hope one of these days to introduce some of those advertisements into the RECORD.

I think it is most important we provide enough money for the committee, to protect the people who during the last few years have not been protected.

Mr. DIRKSEN. Mr. President, will the distinguished Senator yield to me?

Mr. LANGER. I yield.

Mr. DIRKSEN. I understand the conviction of my eminent friend from North Dakota. Ever since I can recall the Senator has pursued this matter with vigor. When the committee asked $375,000, $385,000, or $395,000, the Senator always felt—and it is a matter of conviction—that the committee ought to have $1 million.

I believe, however, the Senator more or less supports the point I made in the beginning. The Senator speaks about farm machinery, about the cost of living, about the cost of insurance and about pharmaceuticals. The fields one can investigate are endless. The question is, How does one finally coordinate the information and get the most good from the investigation? One cannot lose sight of the fact that although we may have a staff large enough to fill this Chamber there are only so many Senators to carry the load. Obviously, the Senators must learn the facts. How do we ration the time which is available among all the investigations at one and the same time, without developing a confused state?

It would be difficult indeed in such circumstances to see the whole picture except through the eyes of some member of the staff. I have always wanted to see the picture through my own eyes if I possibly could. There is a physical limitation which is often involved.

It is like the story with respect to the fellows who are going to make the trip into space. Many applications have been made, and an attempt has been made to whittle the number down to about a dozen. No matter what kind of mechanical gadget we construct to make the race through space at two or three thousand miles an hour, the question remains, what is the vitality and the resistance of the fellow who has to sit in the gadget, so that it will be effective? Unless that man is a robot, there are physical limitations. I do not know whether we can get robots to sit at the committee table to answer appropriate questions and give us the story we want.

Mr. LANGER. We can get a pretty good picture.

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

Mr. LANGER. I yield.

Mr. KEFAUVER. I thank the Senator from North Dakota for his words. I point out that the Senator was the one who had the vision to see the need for the committee in the first place.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement I have prepared on the work of the committee.

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

As chairman of the Senate Antitrust and Monopoly Subcommittee, I sincerely urge favorable action on Senate Resolution 57.

I believe that all the Members of this body are satisfied that the high cost of living represents the No. 1 domestic problem of the American people. This problem has been increasingly emphasized in recent weeks by the President and by the leaders of the Congress.

Beginning in the spring of 1957, the Antitrust and Monopoly Subcommittee began public hearings into administered price industries on the grounds that it was believed that much of the high cost of living was due to the upward manipulation of prices by big companies in administered price industries. The subcommittee was concerned at that time, as it is now, with the plight of the farmer and the small businessman and the large number of unemployed.

Extensive hearings have been held by the Antitrust and Monopoly Subcommittee in such industries as steel and automobiles. We have found that in these industries which are so basic to our economy there exists a kind of upside-down competition where prices have continued to go up even when production remained low or declined; and that where prices were put into effect by the biggest company other members of the industry followed almost automatically.

To me, this upside-down competition presents the crux of the high price problem.

For our system to endure, we must have a free economy. We call it that. But competition is fast disappearing and no economy can remain free and competitive if price competition does not exist. In almost every industry we now have a big one, two, three or four. This trend is continuing at an alarming pace. The problem of high prices and inflation grows increasingly worse with the decline of competition. I am persuaded that, at least during the past 3 years, practically all of our inflation is directly traceable to administered price manipulation in our basic industries. Sure, some of the blame can be traced to labor as well as management. However, the time has come to stop this dangerous spiral, because as surely as we lose our economic freedom, we will lose our political freedom.

Almost 70 years ago, the first of the antitrust laws were passed by Congress. They were later supplemented by a number of other laws. The body of our antitrust law has been termed the charter of our economic freedom. These laws do not force companies to compete. They are aimed at removing illegal restraint and monopolistic abuses. Concrete evidence is necessary to show illegality.

In the past, such evidence was forthcoming and successful cases were brought against giant combinations of wealth. However, today as before, there are many instances of identical pricing where prices are set by the leader and followed by the rest of the industry. Evidence of collusion often is lacking because companies do not get together and set prices as they did in the past. There appears to be a pattern where industries' prices are set simply by following those of the leader. The Antitrust and Monopoly Subcommittee has been told by the Department of Justice and the Federal Trade Commission that they are helpless to proceed unless concrete evidence of collusion can be proved.

In this unhappy state of affairs, the people are caught in a price squeeze, and the Government, under present laws, appears powerless to ease their predicament.

The moneys requested to continue the work of this subcommittee are necessary if we are to find the answer to this riddle.

I say to the Members of this body that the answer to this riddle must be found in the framework of our antitrust laws if we are to preserve our competitive way of life. The only other alternative is some form of Government regulation, which is repugnant to me except under extreme wartime emergencies, or an abandonment of our way of life so that the managers of our giant corporations can do the regulating. The choice is obvious. Congress must assume its constitutional responsibilities. Article I of the Constitution charges the Congress with the responsibility of regulating commerce—not the chairman of the board of United States Steel Corp., or the General Motors Corp.

A very active program has been planned by our subcommittee during the coming year. The subcommittee intends immediately to consider legislative proposals aimed at supplementing our antitrust laws. The President in his economic message submitted to the Congress, on January 20, made four such recommendations falling directly within the purview of this subcommittee. They deal with premerger notification, finalization of Clayton Act orders, the granting of investigative demands to the Department of Justice in civil procedures, and authority to the Federal Trade Commission to seek preliminary injunctions in merger cases.

The administered price hearings thus far held and those planned in other industries are to be used as a basis for consideration of supplementing sections 1 and 2 of the Sherman Act.

The subcommittee contemplates a review of the enforcement program of the Department of Justice and the Federal Trade Commission with respect to section 7 of the Clayton Act. This act was amended in 1950 and, in the 8 years that have sinced passed, only one case has been finally adjudicated and it by virtue of the fact that the district court's opinion in the Bethlehem-Youngstown merger was not appealed. The Congress must know whether there is any basic weakness in the law in order to understand the apparent lack of enforcement by these two agencies of the Government.

The subcommittee, under the direction of Senator O'MAHONEY, intends to continue its investigation of insurance in order to determine whether Public Law 15 is operating effectively in the public interest. Also, under Senator LANGER'S direction, the subcommittee will continue its surveillance of tie-in sales of credit insurance with small loans and other transactions. Hearings are presently planned in a number of other industries, including bread, drugs, fertilizers, replacement parts for farm machinery, paper boxes, automobile financing and others.

Our economy is complex and difficult. Much study needs to be done on the problem. However, I am convinced of one thing—that if we are to find the answer to the riddle, much of the answer must be found within the framework of our antitrust laws. But for other demands made upon the time of subcommittee members, I would have asked for more funds for this important undertaking. However, the $395,000 to continue the work of the subcommittee is absolutely necessary. I say to those who stand opposed to the forces of monopoly and high prices that they should support this resolution.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 57) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 make a complete, comprehensive, and continuing study and investigation of the antitrust and antimonopoly laws of the United States and their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing laws;

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) 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 $395,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PRINTING OF ADDITIONAL COPIES OF "BRIEFING ON THE INVESTMENT ACT"

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 27, Senate Concurrent Resolution 5.

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

The CHIEF CLERK. A concurrent resolution (S. Con. Res. 5) to print additional copies of a committee print entitled "Briefing on the Investment Act."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Con. Res. 5) was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Select Committee on Small Business of the Senate seven thousand additional copies of the committee print entitled "Briefing on the Investment Act."

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

Mr. MANSFIELD. Mr. President, at the request of one of the Members of the Senate, Calendar No. 28 will be passed over, and I shall ask that the Senate move to the consideration of Calendar No. 29.

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

Mr. MANSFIELD. I yield.

Mr. KEFAUVER. Does the Senator mean consideration of the resolution will be passed over to another day?

Mr. MANSFIELD. It will be passed over to another day. The resolution refers to a new matter, and the Senator from Louisiana would like to consider it further.

INVESTIGATION OF JUVENILE DELINQUENCY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 29, Senate Resolution 54.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 54) to investigate juvenile delinquency in the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. ELLENDER. Mr. President, this is the resolution which relates to juvenile delinquency. Last year, I believe, the Senate provided $75,000, in the hope that the investigation would be completed, yet we are confronted with a resolution requesting $150,000. What is the explanation?

Mr. HENNINGS. I am sure the Senator has followed these matters in casual reading, if not in careful study. The Senator has already suggested a partial solution, but I do not believe those of us who have lived with this matter have anything resembling a complete solution. I was a prosecutor in a large city in the gang days. I know a little bit about matters of court—in terms of felonies and in terms of convicting young men who might have been saved. I know something of the problem of imprisonment and lives of crime and law violation.

As chairman of the Subcommittee on National Penitentiaries of the Committee on the Judiciary, I have visited a great many penitentiaries and reformatories. I know, for example, that it cost $41 million to support the prison system in the United States last year.

In the past year the subcommittee has had a staff of 4 or 5 people. We had hoped to operate as a standby committee, but the staff has been totally inadequate. There is a constantly increasing population in this country, a burgeoning and ever-growing problem of young people getting into trouble, and a constantly increasing load of law violations.

This is a matter about which we cannot learn too much. I have been associated with a voluntary organization which has a dedicated mission in this field. I have been both a working member and a national director of the association for some years. I refer to the Big Brother Organization. For 35 years we have been trying to salvage boys.

I have seen boys 18 or 20 years of age sent to the penitentiaries for 10, 15, or 20 years, or even for life imprisonment, as a result of crimes of violence such as armed robbery or murder.

I do not think I qualify very well as a "bleeding heart" because I spent 7 years of my life up against the gun in a tough criminal courtroom in a big city.

Mr. LANGER and Mr. KEFAUVER addressed the Chair.

Mr. HENNINGS. If my colleagues will permit me to continue, I want to say that the requested appropriation is, indeed, most reasonably within the realm of what should be done in this field. There is a constant demand for action, as the distinguished Senator from North Dakota [Mr. LANGER] and the distinguished Senator from Tennessee [Mr. KEFAUVER] know. The Senator from Tennessee has served as chairman of this subcommittee in past sessions of the Congress. Others have served on the subcommittee, and others have been interested in this problem. They all know that in order to salvage the youth of this country we must find some of these difficult answers. The answers are not simple.

It is true that part of the answer is found in the home. However, let us suppose there is no home, or let us suppose there is no home worthy of the name. Most of us have been fortunate in that respect, since we have had good parents who have guided us and tried to help us, but many children in this country do not have that advantage.

The staff of the committee is not a "political" staff. There are only four or five persons employed. The chief counsel has degrees of bachelor of arts and master of arts; he is a graduate of the Harvard Law School; he is a member of the Colorado bar; he has attended Denver University and Simmons College; and he was legal adviser to the juvenile court of Denver for 5 years. All others on the staff of the subcommittee are well qualified in the work. I do not believe a single one could be called a patronage employee.

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

Mr. HENNINGS. I am glad to yield to my distinguished colleague.

Mr. LANGER. I simply want to recall to the distinguished Senator's memory the great work done by the Senator from Tennessee [Mr. KEFAUVER] when he was chairman of the subcommittee, immediately preceding the service of the present chairman. The various service organizations such as the American Legion, AMVETS, the Veterans of Foreign Wars and all the rest worked together in a great cooperative movement, with the churches.

No one on this earth will ever know how many lives ESTES KEFAUVER, the chairman of this subcomittee, saved among the youth of the country by the great work which he did. Whatever the appropriation was at that time, certainly the money was well spent.

As the distinguished Senator from Missouri has just said, this committee has a staff of only four working for it. We should have more.

Mr. HENNINGS. I do not know the politics of any member of the staff, but the staff does need enlarging, and the Senator's wishes will certainly be considered.

Mr. President, I ask unanimous consent that a statement which I have prepared relative to the work of the Juvenile Delinquency Subcommittee be 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:

STATEMENT ON CONTINUATION OF COMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY

For the ninth straight year juvenile delinquency has increased in the United States, and the citizens of this country are looking more and more to the Federal Government for leadership, guidance, and information on this subject. The latest figures from the Children's Bureau indicate that for the last year for which complete figures are available (1957), 603,000 children appeared before our juvenile courts. This constitutes a 16 percent increase over the previous year.

Further, I think it should be pointed out that we estimate that in the not too distant future there will be well over 2 million adolescents in the United States who have been before the juvenile courts. There are also an untold number of "hidden delinquents" who, while exhibiting delinquent behavior patterns just as serious as those coming before the courts, have for some reason or other not been apprehended. These "hidden delinquents," coupled with our known delinquents, comprise a tremendous segment of our juvenile population.

For these reasons, the Committee To Investigate Juvenile Delinquency hopes to continue its work during the coming year, and the following are areas which we feel should be investigated.

In the very near future, the committee plans to hold hearings in New York City and in Washington, D.C., on juvenile court procedures. This is an area which we believe is in need of quiet study and appraisal. If it appears that more of an investigation is in order, we shall no doubt go to other parts of the country to see how various courts are operating and what recommendations we can make for improved service through juvenile courts to our children and the communities in which they reside.

The committee staff has done a great deal of work on the utilization of former juvenile delinquents by the Armed Forces. Much information has been compiled on this subject, and we believe that hearings would be of inestimable value in bringing to light facts which might lead to improvement in present methods of selecting or rejecting inductees and enlistees.

Since a great number of juvenile offenders are getting into trouble because of automobile theft, we are considering the possibility of holding hearings on the Dyer Act with a view to exploring the feasibility of inclusion by manufacturers of antitheft devices on new automobiles.

The matter of delinquent and incorrigible children in the public school systems is one of continuing concern to parents and educators in many urban centers. We hope to continue our work in this area during the year.

We hope to bring together many interested agencies and individuals in an effort to find a solution to the so-called border problem, that is, where young persons from the United States cross the border into Mexico and are exposed to all manner of vices.

As a result of investigations by the committee, various Members have introduced within the last few days bills with regard to the following subjects: Training of personnel; aiding community and State delinquency projects; pornography in Washing, D.C.; outpatient units for narcotic addicts; and intrastate adoption practices. In addition, a bill has already been introduced in this session to control the manufacture, distribution, and sale of barbiturate and amphetamine drugs.

A recent feature article in the Baltimore (Md.) Sun papers began with this statement:

"One of the country's most graphic and significant collections of information, regarding the increase, the causes and the scope of juvenile delinquency, has been gathered by the Senate Judiciary Subcommittee during 4½ years of investigation."

Because this is widely known, during the past year alone the committee staff filled requests for approximately 8,000 copies of our reports and transcripts of hearings. Numerous other requests are received for publications now out of print. The Library of Congress also receives many requests for this material and has condensed three of our reports into 30- to 40-page synopses, but the demand exhausted their supply in a very short time. They now plan to issue

other of our reports in this condensed form because of the hundreds of requests they receive.

The staff has also handled from 4,000 to 5,000 pieces of correspondence and inquiries. A great many inquiries come from other congressional offices. This, I believe, is evidence of the nationwide character of delinquency and the widespread interest of citizens from all parts of the country and all walks of life to learn more of the nature of delinquency and the role of the Federal Government in combating it. Surely the people of this country deserve some leadership from us in dealing with this grave problem—a problem shared to some degree by all areas and all types of communities.

During both sessions of the 85th Congress, 16 pieces of legislation were introduced and the major provisions of 3 of these were enacted into law. Two of these laws prohibit the interstate transportation of switchblade knives and give the Federal Government new tools with which to prosecute the pornographer, who usually has no qualms about selling his unsavory wares to our youth. The third law put into effect for the District of Columbia the Uniform Reciprocal Enforcement of Support Act.

Hearings were held in March 1958 on training schools for juveniles. We know that these hearings have already been of benefit in improving practices in training schools.

In addition to these matters, studies were initiated or continued on the following subjects: The handling of delinquent children in public schools; utilization of former delinquents by the Armed Forces; the practices of State training schools; the study of community plans for handling delinquency by sending out 115 questionnaires to cities of over 100,000 population, the results of which will be included in our community plan report; and juvenile court procedures.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 54) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors; (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws; (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts; and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

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 reports 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 $150,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ADMINISTRATION OF PATENT OFFICE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 30, Senate Resolution 53.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 53) authorizing an investigation of the administration of the Patent Office.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. MANSFIELD. Mr. President, this resolution relates to a subcommittee which has been operating for some time in a very difficult field. Will the Senator from Wyoming [Mr. O'MAHONEY] explain the resolution briefly?

Mr. O'MAHONEY. Mr. President, this is one of the standing subcommittees of the Committee on the Judiciary. It is charged with the responsibility for handling legislation which comes before the Senate with respect to patents, trademarks, and copyrights. It is a very busy sector of the operations of the Government, and of the work of various industries and individuals throughout the United States.

I hold in my hand a list of various documents which were prepared by the subcommittee during the past year, and which are now available for sale at the Government Printing Office. Many of them have been available throughout the years.

There are 18 of these monographs, every one of them written by an expert; some by persons in the Library of Congress, and some by members of the staff of the Patent Office.

I am advised by the Government Printing Office that with respect to these 18 documents—the latter two are not available in printed form—the Superintendent of Documents has already collected from the public, from the sale of the documents, about $8,500.

I ask unanimous consent that this list, showing the price of each document, be printed in the RECORD at this point as a part of my remarks.

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

PUBLICATIONS OF THE SENATE SUBCOMMITTEE ON PATENTS, TRADEMARKS, AND COPYRIGHTS

(Available from Superintendent of Documents, Government Printing Office, Washington 25, D.C., for prices listed)

RESEARCH STUDIES

No. 1: Proposals for Improving the Patent System, by Dr. V. Bush, 15 cents.

No. 2: The Patent System and the Modern Economy, by G. Frost, 25 cents.

No. 3: Distribution of Patents Issued to Corporations (1939–55), by the Patent Office Commissioner Watson and P. J. Federico, 15 cents.

No. 4: Opposition and Revocation Proceedings in Patent Cases, by P. J. Federico, 15 cents.

No. 5: The International Patent System and Foreign Policy, by R. Vernon, 20 cents.

No. 6: Patents and Nonprofit Research, by A. M. Palmer, 25 cents.

No. 7: Efforts To Establish a Statutory Standard of Invention, by Library of Congress—LRS (V. L. Edwards), 15 cents.

No. 8: The Role of the Court Expert in Patent Litigation, by L. H. Whinery, 30 cents.

No. 9: Recordation of Patent Agreements—A Legislative History, by Library of Congress—LRS (M. Daniels and V. L. Edwards), 15 cents.

No. 10: Exchange of Patent Rights and Technical Information Under Mutual Aid Programs, by M. H. Cardozo, 20 cents.

No. 11: The Impact of the Patent System on Research, by S. Melman, 25 cents.

No. 12: Compulsory Licensing of Patents—A Legislative History, by Library of Congress—LRS (C. S. Corry), 25 cents.

No. 13, Patent Office Fees—A Legislative History, by Library of Congress—LRS (V. L. Edwards), 15 cents.

No. 14: Economic Aspects of Patents and the American Patent System: A Bibliography, by Library of Congress—LRS (J. W. Allen), 20 cents.

No. 15: An Economic Review of the Patent System, by F. Machlup, 25 cents.

No. 16: The Research and Development Factor in Mergers and Acquisitions, by M. Friedman, 15 cents.

No. 17: Renewal Fees and Other Patent Fees in Foreign Countries, by P. J. Federico, 15 cents.

No. 18: Synthetic Rubber: A Case Study in Technological Development Under Government Direction, by R. A. Solo, 35 cents.

Senate Report No. 72, 85th Congress, 1st Session, 15 cents.

Senate Report No. 1430, 85th Congress, 2d Session, 15 cents.

Mr. O'MAHONEY. The purpose of placing that list in the RECORD is to advise those who may read the RECORD of some of the work which this subcommittee has carried on, the results of which are now available in the Government Printing Office.

The most important thing I have to say about this resolution is that during the past six years appropriations for research and development in scientific fields have been increasing. The Government of the United States has been conducting research, appropriating from $2 billion to $4 billion a year for this purpose. The result is that many discoveries and inventions have been made.

There are 18 different agencies of the Government which benefit from appropriations for research and development, and there are many private industries, some of them industrial corporations, some of them universities or laboratories, which benefit from Federal appropriations for this purpose.

There is no agreement among the 18 Government agencies which enjoy these benefits with respect to the manner in which patents and licenses should be handled so as to protect the public interest. There seems to be no doubt in the minds of members of the Judiciary

Committee and members of the Committee on Rules and Administration that the appropriation for which we ask, which is recited in the report on the desk of every Senator, should be approved. I hope it will be.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 53) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a full and complete examination and review of the administration of the Patent Office and a complete examination and review of the statutes relating to patents, trademarks, and copyrights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) 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 $145,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 31, Senate Resolution 62.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 62) authorizing a study of matters pertaining to constitutional rights.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. HENNINGS. Mr. President, this resolution applies to a standing subcommittee of the Committee on the Judiciary. The subcommittee is asking for the same amount the subcommittee was allotted last year. It turned back into the Treasury $30,000.

I ask unanimous consent that a statement which I have prepared relating to the work and activities of the subcommittee be 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:

This matter relates to the standing Subcommittee on Constitutional Rights of the Committee on the Judiciary. I am ready to answer any questions on the resolution.

This year we have asked for the same amount as last year to carry on our important work. This amount has been approved by both the Committee on the Judiciary and the Committee on Rules and Administration without a dissenting vote.

In 1958 the subcommittee's activities included examination, investigation, and study of a number of matters pertaining to constitutional rights. The subcommittee dealt with such diverse matters as freedom of information; wiretapping, eavesdropping, and the Bill of Rights; confessions and police detention; equal protection of the laws; the right to travel; and the rights of persons subject to American military jurisdiction. In addition, the subcommittee handled many complaints of the infringement of constitutional rights directly from the public and many from Members of Congress. The subcommittee endeavors to investigate all such complaints as seem appropriate. After careful examination, many charges appear groundless but often a record can be corrected or information furnished as a result of consideration by the subcommittee.

In the forthcoming period, the subcommittee intends to continue its studies and investigations concerning (1) freedom of information in Government and the alleged "Executive privilege"; (2) wiretapping, eavesdropping, and the Bill of Rights; (3) the rights of persons, particularly civilians, subject to American military jurisdiction; and (4) legislation assigned to the subcommittee within the Judiciary Committee relating to equal protection of the laws and due process of law.

The subcommittee has undertaken preliminary examination of the following subjects also to be studied this year:

(1) Providing adequate protection for the constitutional right to legal counsel in Federal courts;

(2) Compiling a survey status of constitutional rights;

(3) Fair hearing procedures for Federal job applicants.

The heavy workload carried by the subcommittee members and the staff is well illustrated by the fact the subcommittee receives an average of almost 100 letters and 350 telephone calls a week. Individual complaints referred to the subcommittee by Senators, Representatives, and others—practically all of which require interviewing one or more persons—average six a week, or slightly more than one a day. Staff research averages more than 120 hours per week. In addition, during the past year, the subcommittee prepared five separate publications dealing with matters pertaining to current constitutional rights problems. These were in addition to the record of the hearings held by the subcommittee.

I have prepared a statement outlining what the Constitutional Rights Subcommittee has done during the past year in each of the fields of activity I have already mentioned, and I include it in the RECORD:

STATEMENT BY SENATOR THOMAS C. HENNINGS, JR., OUTLINING THE ACTIVITIES OF THE CONSTITUTIONAL RIGHTS SUBCOMMITTEE DURING 1958

In the field of freedom of information, the Constitutional Rights Subcommittee held hearings on March 6 and April 16, 1958, on S. 921, amending section 161 of the Revised Statutes (5 U.S.C. 22) with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records. Witnesses at these hearings included the Attorney General of the United States; representatives of the American Society of Newspaper Editors, Sigma Delta Chi journalistic fraternity, the American Civil Liberties Union, and the National Federation of the Blind; and newsmen in individual capacities. Statements were filed for the record by many other interested organizations and individuals.

S. 921 was favorably reported, without any dissenting votes, by the subcommittee, and by the Committee on the Judiciary (S. Rept. No. 1621). It was considered and debated in the Senate on July 31, 1958, and the proposal was passed without any opposition votes. The language of S. 921 was approved by the President on August 12, 1958, and became Public Law 85–619.

Another freedom of information bill, assigned to the subcommittee for consideration, was S. 2148, to amend the public information section of the Administrative Procedure Act. Attempts were made by the subcommittee to schedule hearings on S. 2148 in 1958 but mutually satisfactory dates could not be arranged with the potential witnesses who are most actively interested in the legislation. A collection of Government agency and press association views on S. 2148 is being published as a committee print.

On May 20 and May 22, 1958, the subcommittee conducted public hearings on the subject of wiretapping, eavesdropping, and the Bill of Rights. The subcommittee addressed itself to the basic questions, What are wiretapping and eavesdropping, how are they done today, and what constitutional and legal questions do such practices raise? Witnesses were an assistant vice president of the American Telephone & Telegraph Co., a research professor from the Moore School of Electrical Engineering, University of Pennsylvania, the attorney general of the Commonwealth of Pennsylvania, a professor of government, and a prosecuting attorney. In addition, the subcommittee staff compiled the texts of judicial decisions construing section 605 of the Federal Communications Act, related cases, State and foreign laws, and bibliographies; these background materials were printed as an appendix to the hearings.

As a part of the continuing study, and for use in connection with public hearings by the subcommittee in the 86th Congress, the staff has compiled representative essays and law review articles, including the written views of Herbert Brownell, Jr., and William P. Rogers, and has assembled correspondence with law professors throughout the country who commented on the subject in general or on the record to date of the hearings in particular or submitted new articles for the consideration of the subcommittee.

During 1958, the subcommittee also has done considerable work on the subject of confessions and police detention. The subcommittee has been studying developments in Federal law subsequent to *McNabb* v. *United States* (318 U.S. 332 (1943)), under rule 5(a) of the Federal Rules of Criminal Procedure, and in accordance with the due process of law requirements of the Bill of Rights.

Public hearings were conducted by the subcommittee on March 7 and 11, 1958. Witnesses were attorneys in private practice, law professors, the U.S. attorney for the District of Columbia, a Federal district court judge, a county sheriff, a metropolitan chief of police and a deputy chief in charge of detectives, and representatives of civil liberties and public interest organizations. The printed record contains appendix material including studies dealing with various aspects of the subjects of arrest, detention, questioning, warning, and rights of individuals accused of committing crimes.

In the 2d session of the 85th Congress, six bills falling under the general category

of equal protection of the laws were referred to the subcommittee for consideration. However, at a meeting of the subcommittee on May 5, 1958, a majority voted to postpone scheduling hearings because extensive hearings were conducted on the general subject and specific legislation referred to the subcommittee during the 1st session of the 85th Congress.

Another subject with which the subcommittee has been actively concerned during the past year has been the rights of persons subject to American military jurisdiction.

It has not been feasible for the subcommittee to conduct public hearings yet on this subject of continuing interest but a staff study has been made of the constitutional rights of the several classes of persons involved and the special problems connected with each group.

The Senate Committee on Armed Forces, of course, has primary jurisdiction as the standing legislative committee over the Military Establishment of the United States, and its military personnel. Accordingly, the Senate Constitutional Rights Subcommittee may act merely in an advisory capacity in developing suggestions for improvements in the Uniform Code of Military Justice. The subcommittee position is similar with regard to status of forces agreements which come before the Senate Committee on Foreign Relations.

However, the constitutional rights of civilians who accompany American Armed Forces outside the continental limits of the United States are of appropriate concern to the Senate Constitutional Rights Subcommittee. The Supreme Court has had no easy time in deciding the rights of these persons. The persons discussed here fall into these categories: Civilian dependents of Armed Forces personnel; civilian employees of the Armed Forces; and civilian employees of defense contractors. The basic question is: What jurisdiction may the U.S. Government exercise over these persons when they are accused of violating Armed Forces regulations or the criminal laws of this country or of the county where they are? The subcommittee is seeking the answer.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 62) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 constitutional rights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) 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 sclect 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 $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement relative to the resolution just agreed to.

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

This resolution would authorize the expenditure of $115,000 by the Committee on the Judiciary, acting through its Subcommittee on Constitutional Rights, from February 1, 1959, through January 31, 1960, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional rights.

The purposes of the resolution are detailed in a letter from Senator THOMAS C. HENNINGS, chairman of the subcommittee.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON
CONSTITUTIONAL RIGHTS,
January 22, 1959.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Submitted herewith is the budget approved by the Senate Judiciary Subcommittee on Constitutional Rights for the period of February 1, 1959, through January 31, 1960.

The Constitutional Rights Subcommittee respectfully requests approval by the Senate Committee on the Judiciary for authorization to expend an amount not to exceed $115,000 during this period for salaries and administrative expenses. This is the same amount that has been approved by the committee in each of the last 3 years and is the amount approved by the Senate last year.

The Subcommittee on Constitutional Rights conducted a number of public hearings and studies during the past year, pursuant to the provisions of Senate Resolution 234, of the 85th Congress, 2d session. These activities have been summarized in an annual report which is being submitted to the full committee. The subjects covered were: Freedom of information, the alleged "Executive privilege" to withhold information from the Congress, and alleged undue secrecy in Government; wiretapping, eavesdropping, and the Bill of Rights; confessions and police detention, and the laws of arrest and arraignment; and rights of persons subject to American military jurisdiction.

The language of one bill—S. 921, amending section 161 of the Revised Statutes (5 U.S.C. 22), dealing with freedom of information—considered and favorably reported by the subcommittee and the full committee, became law on August 12, 1958, as Public Law 85–619 (72 Stat. 547).

The subcommittee intends to continue its studies and investigations concerning (1) freedom of information in Government and the alleged "Executive privilege"; (2) wiretapping, eavesdropping, and the Bill of Rights; (3) the rights of persons, particularly civilians, subject to American military jurisdiction; and (4) legislation assigned to the subcommittee within the Judiciary Committee relating to equal protection of the laws and due process of law. The subcommittee intends to undertake studies and investigations of the following subjects, for which preliminary examination is currently under way: (1) Adequate provisions for protecting the constitutional right to legal counsel in Federal courts; (2) a national survey of the current status of constitutional rights; and (3) fair hearing procedures for Federal job applicants.

A. The continuing activities are summarized as follows:

1. Freedom of information in Government and the alleged "Executive privilege": The subcommittee reported one bill last year which was enacted into law. The subcommittee intends to continue its examination of legislative proposals aimed at clarifying and protecting the right of the public to information, and, accordingly, has compiled data dealing with a second bill. (This was S. 2148 in the 85th Cong., reintroduced in the present Congress as S. 186.)

2. Wiretapping, eavesdropping, and the Bill of Rights: The first phase of this study—examination of the grave constitutional questions, judicial interpretations, and statutory provisions—can be completed in a few more public hearings. Subsequently, study should proceed in an orderly way concerning the individuals and organizations who (a) employ wiretapping, electronic eavesdropping, and the secret recording of sounds and conversations, for (b) what purposes, and under (c) what authority.

3. Rights of persons, particularly civilians, subject to American military jurisdiction: The most troublesome problem in this area is how to handle American civilians overseas with our Armed Forces who either violate U.S. law and regulations or local (i.e., the host country's) laws. These civilians are (a) dependents of U.S. personnel, (b) employees of the U.S. Armed Forces, or (c) employees of defense department private contractors.

A staff study and tentative draft legislation have been prepared but it has not been feasible yet to conduct public hearings which should be held in the coming year.

4. Equal protection of the laws and due process of law: The subcommittee intends to give adequate opportunity for the presentation of major points of view on all legislation assigned to it within the Judiciary Committee. Time to be involved will depend upon several factors, including the nature of the legislative proposals, the availability of witnesses, other activities of the subcommittee, etc. For example, the subcommittee conducted exhaustive hearings in the 1st session of the 85th Congress, meeting often mornings and afternoons—on 15 different days. The printed record ran to 930 pages.

B. New studies to be undertaken are summarized as follows:

1. Adequate provisions for protecting the constitutional right to legal counsel in Federal courts: Bar association studies in the District of Columbia have recommended different methods for furnishing legal counsel to indigents in the Federal courts.

In addition to witnesses presenting different points of view, from the District of Columbia, we expect to be able to hear outstanding members of State bar associations who have also been studying the subject.

2. A national survey of the current status of constitutional rights.

Pursuant to the language of the authorization resolution: "* * * to examine, investigate, and make a complete study of any and all matters pertaining to constitutional rights," the subcommittee intends to survey current public opinion concerning the status of rights of individual persons guaranteed or otherwise protected under the Constitution of the United States today.

3. Fair hearing procedures for Federal job applicants.

A staff study and tentative draft legislation have been prepared but it has not been feasible to conduct public hearings yet on the subject.

Finally, I believe it should be noted that the subcommittee office receives complaints of the infringement of constitutional rights throughout the year directly from the public or from Members of Congress. The subcommittee endeavors to investigate all such

complaints as seem appropriate. After careful examination, many charges appear groundless but often a record can be corrected or information furnished as a result of consideration by the subcommittee. The subcommittee intends to continue to furnish this service.

I hope that the Committee on the Judiciary will act favorably on this request at its next meeting.

With kindest regards, I am,

Sincerely yours,

THOMAS C. HENNINGS, Jr.,
Chairman.

INVESTIGATION OF ADMINISTRATION OF THE TRADING WITH THE ENEMY ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed with the consideration of Calendar No. 32, Senate Resolution 56.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 56) to investigate the administration of the Trading With the Enemy Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 56) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a further examination and review of the administration of the Trading With the Enemy Act, as amended, and also the War Claims Act of 1948, as amended, and consider bills affecting said Acts.

SEC. 2. For the purposes of this resolution, the committee from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) 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 $60,000, shall be paid from the contingent fund of the Senate upon voucher approved by the chairman of the committee.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement covering the use for which the funds provided for in the resolution are intended.

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

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON TRADING
WITH THE ENEMY ACT,
Washington, D.C., January 26, 1959.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: The work of this subcommittee was first authorized by Senate Resolution 245 of the 82d Congress, 2d session. It has been successively continued to January 31, 1959. Fifty thousand dollars was authorized for the period covered by Senate Resolution 232, which expires January 31, 1959. The new resolution proposes the sum of $60,000 for the essential expenses of continuing this work until January 31, 1960.

Of the $50,000 allocated under Senate Resolution 232 of the 2d session of the 85th Congress, an estimated $18,000 will be returned as unexpended balance. That resolution carried, as does the proposed resolution, a provision for a minority counsel. However, the minority did not avail itself of the opportunity of employing a minority representative for the subcommittee, hence the unexpended funds are larger than normally would have been the case.

There were 10 bills under consideration by the subcommittee during the 2d session of the 85th Congress. Three bills were reported (S. 163, S. 411, and H.R. 11668). S. 163 passed the Senate and was referred to the Committee on Interstate and Foreign Commerce of the House. S. 411, though reported favorably, was not acted upon by the Senate. H.R. 11668 was enacted into law and became Public Law 85-884, approved September 2, 1958.

A considerable amount of the subcommittee's time and efforts during the previous session was spent in conferences, discussions, and studies with the executive departments concerned with these questions in attempting to devise a plan to carry out the announced intention of the administration for a revised and more equitable program for submission to the 85th Congress. As the session neared its close, and no program had been worked out, the committee decided to act on only one phase of the subject and, consequently, reported S. 411, which would have provided for the payment of certain American war damage claims and would have provided for the return of vested assets to persons who had become U.S. citizens since the vesting of their property.

I believe that you will agree that the question of the payment of American war damage claims and the disposition of vested assets should be resolved during this, the 86th, Congress. The subcommittee has been working diligently for just solution as expeditiously as possible. I desire, and shall work to the end, that the affairs of the subcommittee be terminated, if possible, in this session.

At the present time it does not appear necessary to conduct extensive hearings on these two questions, with perhaps several executive sessions with the appropriate executive agencies. Much can be accomplished through communications with the interested parties.

In continuing the work, the subcommittee seeks the assistance of a counsel, an associate counsel (minority), two attorney-investigators, one clerk, and two stenographers.

Sincerely yours,

OLIN D. JOHNSTON,
Subcommittee Chairman.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement relative to Senate Resolution 56.

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

This resolution would authorize the expenditure of the sum of $60,000 to enable the Subcommittee on Trading With the Enemy Act of the Committee on the Judiciary from February 1, 1959, through January 31, 1960, to conduct hearings, conferences, and discussions, and to reach areas of agreement in various matters with the executive department.

The proposals to be undertaken under this resolution are set forth in a letter from Senator OLIN D. JOHNSTON, chairman of the subcommittee, to Senator JAMES O. EASTLAND, chairman of the Committee on the Judiciary, and in Senator EASTLAND'S letter of transmittal to Senator THOMAS C. HENNINGS, JR., chairman of the Committee on Rules and Administration, which letters (with accompanying budget) are as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
January 26, 1959.

Re Senate Resolution 56.

Hon. THOMAS C. HENNINGS, Jr.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR SENATOR HENNINGS: The Committee on the Judiciary today ordered reported an original resolution providing additional funds for a continuation of the study, examination, and review of the administration of the Trading With the Enemy Act and the War Claims Act of 1948. The study has been conducted by the Subcommittee on Trading With the Enemy Act, which was first authorized by Senate Resolution 245 of the 2d session of the 82d Congress. Its functions have been successively authorized by Senate resolution. Under the terms of Senate Resolution 232 of the 2d session of the 85th Congress, the authority for the conduct of this study is to expire January 31, 1959. The new resolution proposes the sum of $60,000 for the period ending January 31, 1960.

The subject matter before this subcommittee is one of the most complex facing the Congress today. The subcommittee chairman has assured me that it is his desire and he will work to the end that this program will be completed during this session of the Congress. Considerable difficulty was encountered during the last Congress in devising a program agreeable to the committee and to the administration, but I am hopeful that this Congress will see the difficulties resolved through legislation to dispose of the vested assets and to provide for the payment of American war damage claims.

Enclosed for your information is the proposed budget for the subcommittee and a statement from the chairman of the subcommittee outlining his plans for the coming year.

Sincerely,

JAMES O. EASTLAND, *Chairman.*

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON TRADING
WITH THE ENEMY ACT,
Washington, D. C., January 26, 1959.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: The work of this subcommittee was first authorized by Senate Resolution 245 of the 82d Congress, 2d session. It has been successively continued to January 31, 1959. Fifty thousand dollars was authorized for the period covered by Senate Resolution 232, which expires January 31, 1959. The new resolution proposes the sum of $60,000 for the essential expenses of continuing this work until January 31, 1960.

Of the $50,000 allocated under Senate Resolution 232 of the 2d session of the 85th Congress, an estimated $18,000 will be returned as unexpended balance. That resolution carried, as does the proposed resolution, a provision for a minority counsel. However, the minority did not avail itself of the opportunity of employing a minority representative for the subcommittee, hence the unexpended funds are larger than normally would have been the case.

There were 10 bills under consideration by the subcommittee during the 2d session of the 85th Congress. Three bills were reported (S. 163, S. 411, and H.R. 11668). S. 163 passed the Senate and was referred to the Committee on Interstate and Foreign Commerce of the House. S. 411, though reported favorably, was not acted upon by the Senate. H.R. 11668 was enacted into law and became Public Law 85-884, approved September 2, 1958.

A considerable amount of the subcommittee's time and efforts during the previous session was spent in conferences, discussions, and studies with the executive departments concerned with these questions in attempting to devise a plan to carry out the announced intention of the administration for a revised and more equitable program for submission to the 85th Congress. As the session neared its close, and no program had been worked out, the committee decided to act on only one phase of the subject and, consequently, reported S. 411, which would have provided for the payment of certain American war damage claims and would have provided for the return of vested assets to persons who had become United States citizens since the vesting of their property.

I believe that you will agree that the question of the payment of American war damage claims and the disposition of vested assets should be resolved during this, the 86th, Congress. The subcommittee has been working diligently for a just solution as expeditiously as possible. I desire, and shall work to the end, that the affairs of the subcommittee be terminated, if possible, in this session.

At the present time it does not appear necessary to conduct extensive hearings on these two questions, with perhaps several executive sessions with the appropriate executive agencies. Much can be accomplished through communications with the interested parties.

In continuing the work, the subcommittee seeks the assitance of a counsel, an associate counsel (minority), two attorney-investigators, one clerk, and two stenographers.

Sincerely yours,

OLIN D. JOHNSTON,
Subcommittee Chairman.

INVESTIGATION OF PROBLEMS OF CERTAIN FOREIGN COUNTRIES ARISING FROM THE FLOW OF ESCAPEES AND REFUGEES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 33, Senate Resolution 52.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 52) to investigate problems of certain foreign countries arising from flow of escapees and refugees from Communist tyranny.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 52) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 in certain Western European nations, and in certain Near Eastern, Middle Eastern, and Far Eastern countries, created by the flow of escapees and refugees from Communist tyranny.

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 on 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 department or agency 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 such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. The expenses of the committee, under this resolution, which shall not exceed $37,500, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement showing the reason why these funds are necessary.

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

This resolution would authorize the Committee on the Judiciary, acting through its Special Subcommittee To Investigate Problems Connected With Emigration of Refugees and Escapees, to continue from February 1, 1956, through not later than January 31, 1960, its inquiries into the difficulties created by the flow of refugees and escapees from the Communist tyranny and to expend for such purposes not in excess of $37,500.

The purposes of the resolution are more fully stated in a letter to Senator THOMAS C. HENNINGS, JR., chairman of the Committee on Rules and Administration, from Senator JAMES O. EASTLAND, chairman of the Committee on the Judiciary, which letter (with accompanying budget) is as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
January 26, 1959.

Re Senate Resolution 52.

Hon. THOMAS C. HENNINGS, JR.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D. C.

DEAR MR. CHAIRMAN: Your attention is respectfully directed to a Senate resolution which was approved on January 26, 1959, by the Committee on the Judiciary further extending the authority to conduct a study of the problems of certain Western European nations and countries of the Near, Middle, and Far East created by the flow of refugees and escapees from Communist tyranny. The resolution, as approved by the committee, would extend the operative life of the Special Subcommittee To Investigate Problems Connected With Refugees and Escapees to January 31, 1960.

According to the latest figures furnished me, there are in Europe today 178,000 nonsettled refugees. Represented among them is the entire roster of peoples enslaved by communism—Poles, Yugoslavs, Czechslovaks, Hungarians, Balts, Bulgarians, Rumanians, Albanians, and a score of nationalities of the U.S.S.R. More than 48,000 of these people are still living in refugee camps under deplorable conditions. In addition to the European refugees, we have approximately 900,000 Arab refugees whose resettlement presents an even greater challenge. These figures will, I believe, demonstrate the need for the continued closest surveillance over this highly incendiary and pressing problem.

In addition to the resolution, I am also attaching a copy of the proposed budget covering the period embraced by the resolution.

I earnestly solicit your sympathetic cooperation to the end that the resolution may have early and favorable consideration by the Committee on Rules and Administration.

With kindest regards, I am,

Sincerely,

JAMES O. EASTLAND,
Chairman.

STUDY PERTAINING TO REVISION AND CODIFICATION OF THE STATUTES OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 35, Senate Resolution 63.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 63), authorizing a study of matters pertaining to the revision and codification of the statutes of the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 63) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 revision and codification of the statutes of the United States.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That, if more than one counsel is employed, 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, 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 $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a justification for this request.

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

This resolution would authorize the expenditure of $25,000 by the Committee on the Judiciary, acting through its Subcommittee on Revision and Codification, from February 1, 1959, through January 31, 1960—"to examine, investigate, and make a complete study of any and all matters pertaining to revision and codification of the statutes of the United States."

The purposes of the resolution are more fully detailed in a letter from Senator SAM J. ERVIN, Jr., chairman of the Subcommittee on Revision and Codification, to Senator JAMES O. EASTLAND, chairman of the Committee on the Judiciary, which letter (with accompanying budget) and letter of transmittal from Senator EASTLAND to Senator THOMAS C. HENNINGS, Jr., chairman of the Committee on Rules and Administration, are as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
January 27, 1959.

HON. THOMAS C. HENNINGS, Jr.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am enclosing the budget which was approved by the Committee on the Judiciary, at its meeting on Monday, January 26, 1959, for the work of the standing Subcommittee on Revision and Codification.

The committee authorized the reporting to the Senate of an original resolution (S. Res. 63) to provide the amount of $25,000 for the work of the subcommittee for the period from February 1, 1959, through January 31, 1960.

The program of the subcommittee is fully set forth in a letter to me, from the Honorable SAM J. ERVIN, JR., chairman of the subcommittee. I am forwarding this letter to you herewith, with the proposed budget, for the information of the Committee on Rules and Administration for consideration at its forthcoming meeting.

With kindest regards, I am,

Sincerely,

JAMES O. EASTLAND,
Chairman.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
January 26, 1959.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: This is in reference to the original resolution which the Committee on the Judiciary approved today for an appropriation in the amount of $25,000 to set up a staff for the standing Subcommittee on Revision and Codification, and which I explained before the committee.

In prior Congresses various titles of the United States Code have been codified which, from an examination of the titles in the code, will show to be of great importance. The titles of the code so far codified have been titles 1, 3, 4, 6, 9, 14, 17, 18, 28, 35, 10, and 32. It will be noted that such titles as "Civil and Criminal Code" and the laws relating to the armed services are included in this compilation.

The codification bills generally originate in the House of Representatives, where the Subcommittee on Revision of the Laws of the Committee on the Judiciary and its staff process these pieces of legislation. They, in connection with publishing companies, bring the laws into the right categories and prepare the eventual bill that is to be the subject matter of the Congress. This work is so detailed that it oftentimes takes 3 or 4 years to codify a particular title. It can be readily seen that a project of this magnitude must carry a cutoff date for the laws which are to be codified, and that subsequent laws must then be taken care of by a so-called cleanup bill. The element of time then enters into the picture because when the bill has received approval of the House and been sent to the Senate it almost of necessity must be passed in that Congress or the entire work of the Congress as to that legislation is for naught and must be commenced again in the next succeeding Congress. This causes a great deal of waste in the matter of time and expense. It also means that a great amount of work must be taken on face because without a staff the Committee on the Judiciary does not have the facilities to recheck 4 or 5 years of work within a single session. When this is realized, it becomes apparent why a staff for this most important legislative function be provided for this subcommittee.

As an example of the work that necessarily goes into a report on revision and codification legislation I cite H.R. 7049 of the 84th Congress, an act to revise, codify, and enact into law title 10 of the United States Code entitled "Armed Forces," and title 32 of the United States Code entitled "National Guard." The bill itself contained 776 pages, consisting of 4 parts and 165 chapters. The schedule of laws repealed consisted of approximately 43 pages. The report on the bill (S. Rept. 2484 to accompany H.R. 7049 of the 84th Cong.) consisted of 1,156 pages and covered every section of the titles dealt with in the revision and codification bill. Prior to reporting, the subcommittee held hearings on H.R. 7049 and did considerable checking and rechecking of its contents.

In the 85th Congress another bill (H.R. 8943), known as the cleanup bill, was introduced and processed through the Subcommittee on Revision and Codification and the Committee on the Judiciary. This bill of course, was to pick up all of the laws enacted after the cutoff date and to correct such substantive and technical errors as appeared in the original codification. The cleanup bil consisted of 36 sections, covering 185 pages. The schedule of laws repealed by that legislation consisted of approximately three pages. The subcommittee likewise held hearings on this bill and checked and rechecked its contents.

On the basis of the foregoing, I urge the approval of the attached proposed budget, since these funds will enable the subcommittee to make its contribution toward the goals outlined and set forth in this letter.

Sincerely yours,

SAM J. ERVIN, Jr.,
Subcommittee Chairman.

STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE IN GOVERNMENT DEPARTMENTS AND AGENCIES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 36, Senate Resolution 61.

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

The LEGISLATIVE CLERK. A resolution (S. Res. 61) authorizing a study of administrative practice and procedure in Government departments and agencies.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. MANSFIELD. Mr. President, I believe the Senator from Colorado [Mr. CARROLL] should give a brief explanation of the resolution.

Mr. CARROLL. The purpose of the resolution is to enable the subcommittee to investigate the Administrative Procedures Act, which has not been amended by Congress for more than 12 years. The President of the United States and others have come forward with some very comprehensive proposed legislation, as evidenced by S. 600, introduced at this session of Congress, and S. 4094, introduced during the last session of Congress. It is a very large project for us to undertake. As I have said, it will be the first time in 12 years that such proposals will be considered. That is the purpose and function of the subcommittee, namely, to make an investigation and examination into the subject of departmental practices and procedure.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 61) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, 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 make a full and complete study and investigation of administrative practice and procedure within the departments and agencies of the United States in the exercise of their rulemaking, licensing, and adjudicatory functions, including a study of the effectiveness of the Administrative Procedure Act, with a view to determining whether additional legislation is required to provide for the fair, impartial, and effective performance of such functions.

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 Sen-

ate 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 $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL STAFF AND CLERICAL PERSONNEL FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Order No. 37, Senate Resolution 49, which will be stated by title.

The LEGISLATIVE CLERK. A resolution authorizing the Committee on Labor and Public Welfare to employ temporarily additional staff and clerical personnel.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. HILL. Mr. President, the resolution merely permits the Committee on Labor and Public Welfare to have the same staff that it had during the last session and during preceding sessions of Congress, with the exception of one additional clerical position. I ask unanimous consent to have printed in the RECORD at this point a statement in explanation of the resolution.

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

Today, January 27, 1959, the Committee on Labor and Public Welfare in executive session unanimously approved a resolution extending for 1 year the authority of this committee to employ certain temporary professional staff members and clerical assistants. This resolution, Senate Resolution 49, has been referred to your committee.

Under this resolution, the committee would be authorized—

(1) To continue the employment of four additional clerical assistants whose positions were first approved by your committee and by the Senate during the 1st session of the 83d Congress by Senate Resolution 37, and subsequently reapproved by Senate Resolution 186 of the 2d session of the 83d Congress; by Senate Resolution 34 of the 1st session of the 84th Congress; by Senate Resolution 194 of the 2d session of the 84th Congress; by Senate Resolution 75 of the 1st session of the 85th Congress, and by Senate Resolution 254 of the 2d session of the 85th Congress; these positions thus have been authorized on six occasions over the past 6 years.

(2) To continue the employment of four temporary professional staff members and two clerical assistants whose positions have been authorized since March 8, 1957, by Senate Resolution 101 of the 1st session of the 85th Congress and by Senate Resolution 253 of the 2d session of the 85th Congress.

(3) To employ an additional clerical assistant above the number presently authorized.

Thus, for purposes of simplification, Senate Resolution 49 combines the authority which was given the committee in the 85th Congress under separate resolutions.

Not only has the membership of the committee been enlarged from 13 to 15, and the number of standing subcommittees has been increased from 5 to 7, but it is clear to the members of this committee that the legislative workload during the 1st session of the 86th Congress will be exceptionally heavy, in certain fields even heavier than that during the 2d session of the 85th Congress. Thus, the committee feels that its need for continuation of the authority to employ additional personnel as proposed in Senate Resolution 49 is even more compelling than in previous years.

Rather than seeking a large sum of money to be expended for general purposes, the committee believes it would be served more effectively by requesting that a number of temporary personnel be authorized for the current year in the same manner as in preceding years.

The committee expects to maintain its policy of filling positions under the proposed resolution only as the workload requires. As in the past the committee expects to engage personnel authorized under the proposed resolution only for such periods of time as they are actually needed.

The personnel filling the positions referred to will be needed to work on important legislative matters related to labor, railroad retirement, and veterans' affairs.

If Senate Resolution 49 is approved, the committee intends to employ professional staff members at a base annual rate not to exceed $8,000, and clerical assistants at a base annual rate not to exceed $3,600.

On behalf of the Committee on Labor and Public Welfare, may I express the hope that your committee will be able to give early consideration and take favorable action on this resolution.

LISTER HILL.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 49) was agreed to, as follows:

Resolved, That the Committee on Labor and Public Welfare is authorized from February 1, 1959, through January 31, 1960, to employ four additional professional staff members and seven additional clerical assistants to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946, and the provisions of Public Law 4, Eightieth Congress, as approved February 19, 1947, as amended.

INVESTIGATION BY COMMITTEE ON BANKING AND CURRENCY PERTAINING TO PUBLIC AND PRIVATE HOUSING

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Order No. 19, Senate Resolution 11.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 19, after the word "exceed", to strike out "$114,500" and insert "$100,000", so as to make the resolution read:

Resolved, That the Committee on Banking and Currency, 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 jurisdiction 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 public and private housing.

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 $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD, at this point, a statement covering the need for this appropriation.

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

This resolution would authorize the expenditure of $100,000 by the Committee on Banking and Currency, or any duly authorized subcommittee thereof, from February 1, 1959, through January 31, 1960, "to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing."

The amendment added by the Committee on Rules and Administration would reduce the amount requested from $114,500 to $100,000.

The general purposes of the study are stated by the Committee on Banking and Currency in its report to the Senate on Senate Resolution 11 (S. Rept. 4, 86th Cong., 1st sess.). Additional information on the intended inquiry is contained in a joint letter to Senator Thomas C. Hennings, Jr., chairman of the Committee on Rules and Administration, from Senator J. W. FULBRIGHT, chairman of the Committee on Banking and Currency, and Senator JOHN SPARKMAN, chairman of its Subcommittee on Housing, which letter (with accompanying budget) is as follows:

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
SUBCOMMITTEE ON HOUSING,
January 21, 1959.

HON. THOMAS C. HENNINGS, Jr.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR SENATOR HENNINGS: On January 20, 1959, there was referred to your committee for consideration Senate Resolution 11, which was reported favorably from the Committee on Banking and Currency on January 20, 1959.

This resolution requests authorization for the Committee on Banking and Currency, or any duly authorized subcommittee, to expend funds in an amount not exceeding $114,500. These funds will be used by the Subcommittee on Housing of the Committee on Banking and Currency to continue its study and investigation of matters relating to public and private housing. These functions are authorized by section 134 of the

Legislative Reorganization Act of 1946, pursuant to the committee's jurisdiction under rule XXV 1(d)4 of the Standing Rules of the Senate. The subcommittee proposes to employ upon a temporary basis such assistance as it deems advisable in connection with the scope of activity to be carried out.

During the 2d session of the 85th Congress, the subcommittee's activities included studies and investigations of all phases of housing. The subcommittee also held hearings during the last session and prepared for the Committee on Banking and Currency the 1958 Emergency Housing Act, the omnibus housing bill, and other bills falling within the purview of the subcommittee.

During the last session of the Congress, the subcommittee began a comprehensive study to throw light on the question, "Does the decade 1961–70 pose problems in private housing and mortgage markets which require Federal legislation by 1960?" It is generally agreed that during the next 10 years our economy will expand far beyond today's level. The rate of home construction, which has been at a constant level for the past several years, must increase to meet the needs of a growing population with a rising standard of living. Net new family formation resulting from the births of the forties, the replacement of units to be demolished in order to carry out the national housing policy of a decent home for every American family, the increased mobility of American families, and the higher standard of living toward which we strive, will require more and better housing facilities in the future. Mortgage credit is the principal resource problem. It is incumbent upon committees of Congress having a responsibility in the housing field to seek ways for providing an adequate supply of home mortgage credit in the future.

The Subcommittee on Housing has launched this study of mortgage credit with a printed compendium, by experts in the field, which is widely regarded as a significant contribution to knowledge on this subject. It is planned that hearings will be held during this session of the Congress. It is also expected that this study will lead to constructive legislative proposals and improvement of the Nation's housing inventory.

The subcommittee has come to serve as a channel of communication between Members of the Senate, Government agencies, the housing industry, and the public. It has accumulated experience and knowledge which are utilized every day by Members having an interest in legislation, both existing and proposed, and in administrative problems affecting housing.

It is our sincere belief that the $114,500 authorization requested is completely justified by the size and complexity of the many problems of our Federal housing programs and is, in fact, necessary if the Senate is to keep itself informed on these vital matters. We hope that your committee will give favorable consideration to this resolution.

Attached to this letter is a copy of Senate Report 4 and an itemized budget indicating the manner in which the funds requested by this resolution are proposed to be used.

Sincerely,

J. W. FULBRIGHT,
Chairman, Senate Committee on Banking and Currency.

JOHN SPARKMAN,
Chairman, Senate Subcommittee on Housing.

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

The amendment was agreed to.

The resolution, as amended, was agreed to.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Order No. 28, Senate Resolution 58.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution, as follows:

Resolved, That the Committee on the Judiciary, 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 constitutional amendments.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That, if more than one counsel is employed, 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, 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 $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement in explanation of the resolution.

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

STATEMENT BY SENATOR KEFAUVER

As chairman of the Subcommittee on Constitutional Amendments, I wish to speak briefly in support of the subcommittee's modest request for $25,000 for the 1st session of the 86th Congress.

In the past, the staff work of this subcommittee was done by one of the staff members of the full Judiciary Committee. However, the workload of the full committee and the subcommittee has been on the increase over the past several years, and it is the considered and unanimous view of the members of both the committee and subcommittee that the many proposals which are referred to the subcommittee can be given much more thorough and effective consideration if the subcommittee is authorized to employ a counsel and a secretary.

During the 85th Congress, 38 constitutional amendments were proposed in the Senate; 140 proposals were introduced in the House. There is every expectation that more than this number will be proposed in the 86th Congress. Furthermore, many of these proposals will require the closest scrutiny, and several may require hearings. For example, there has been considerable pressure for several years to amend the Constitution to provide for Presidential disability. There is much sentiment in favor of an amendment to repeal the 22d amendment.

These various proposals should be given the most serious consideration. The proposed budget is the bare minimum necessary for such consideration. Therefore, I hope that the Senate will approve Senate Resolution 58.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 58) was agreed to.

STUDY BY COMMITTEE ON GOVERNMENT OPERATIONS OF INTERNATIONAL ACTIVITIES OF THE EXECUTIVE BRANCH

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Order No. 20, Senate Resolution 42. I wish to have that resolution made the pending business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution, which had been reported from the Committee on Government Operations with an amendment, on page 2, line 20, after the word "from", to strike out "date of approval" and insert "February 1, 1959", and on page 3, line 15, after the word "exceed", to strike out "$55,000" and insert "$45,000", so as to make the resolution read:

Resolved, That for the purpose of continuing the study provided for in S. Res. 347, Eighty-fifth Congress, agreed to August 18, 1958, the Committee on Government Operations, 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 jurisdiction 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 international activities of Federal executive branch departments and agencies relative to worldwide health matters, and of any and all matters pertaining to intergovernmental relations between the United States and international organizations of which the United States is a member, as provided for in rule XXV(1)(g)(2)(B) and (D) of said Standing Rules of the Senate, and of any and all matters pertaining to international health research, rehabilitation, and assistance programs, including but not limited to (1) the general level of authorization of funds for the future to enable the programs efficiently to achieve their purposes, including the use of United States appropriations and foreign currencies generated by American aid and sales of farm surpluses; and (2) the coordination of programs related to international health, on the part of interested U.S. Government agencies, including but not limited to, the programs of the Department of State, the International Cooperation Administration, the U.S. Information Agency, the Department of Health, Education, and Welfare, the Atomic Energy Commission, the Veterans' Administration, and the National

Science Foundation, in appropriate cooperation with nongovernmental organizations.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized to (1) 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 at its discretion 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 under this resolution and S. Res. 347, Eighty-fifth Congress, 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 $45,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I move that when the Senate adjourns tonight, it adjourn until 12 o'clock noon tomorrow.

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

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

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to direct an inquiry to the acting majority leader. It was my understanding that the committee report on the housing bill would be filed prior to midnight today, so that the housing bill debate could get underway tomorrow after the morning hour had been concluded. I wonder if there has been any change in the plan.

Mr. MANSFIELD. The Senator's assumption was correct. Unfortunately, events have developed which make it impossible to lay down the housing bill as the order of business tomorrow. I should like at this time, on behalf of the majority leader, to announce to the Senate that the housing bill will not be reported until tomorrow night. I believe the minority leader should know this so that he may notify his colleagues accordingly. We will therefore have a night session on Wednesday, Thursday, and Friday, and we will also meet on Saturday if the housing bill and the airport bill have not been disposed of.

I believe that should be sufficient notice to the membership as to what the schedule will be for the rest of the week. As the minority leader has indicated, there is a great deal of interest in the celebration of Mr. Lincoln's birthday anniversary, and we would like to complete action on those two pieces of proposed legislation this week so that we can attend to the other matter next week.

Mr. DIRKSEN. I should like to utter the hope that starting out so early with night sessions will not become the pattern for the rest of the session.

Mr. MANSFIELD. I am in full accord with the distinguished minority leader, and share his hopes in that regard. I, too, hope that these night sessions, which have become too common in the past, will become a little more uncommon in the future. In view of the situation existing in the housing area, however, it is quite important that action be taken on the housing bill this week, before the Lincoln week celebrations. Every Senator is aware of the crucial need for action in this field. In order to meet that need it will very likely be necessary to hold several night sessions this week.

Mr. DIRKSEN. I am delighted to hear the acting majority leader agree with me.

ADJOURNMENT

Mr. DIRKSEN. Mr. President, I move that the Senate adjourn in accordance with the order previously entered.

The motion was agreed to; and (at 5 o'clock and 48 minutes p.m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, February 3, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, February 2, 1959:

U.S. COAST GUARD

Capt. Chester L. Harding, USCG, for promotion to the permanent rank of rear admiral in the U.S. Coast Guard.

ASSISTANT DIRECTOR OF LOCOMOTIVE INSPECTION

Edwin R. Butler, of Illinois, to be assistant director of locomotive inspection, vice Howard H. Shannon, resigned.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

TO BE ENSIGNS

Jack W. Kinney, Jr.	Limberios Vallianos
Michael L. Olivier	Fred M. Welch
Lester M. Pence, Jr.	Douglas J. Wilcox
Joe P. Pennington	J. Austin Yeager
Frank A. Spear, Jr.	W. Paul Yeager

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

(*Indicates ad interim appointment.)

Abraham, Louis R.	Adams, Thomas G.
Abrahamson, Dennis P.	Aitchison, Don E.
Ackerman, Robert K.	Anderson, Kenneth F., Jr.
Adamo, Nicholas J.	Anderson, Neil P.
Adams, Robert T.	Andrews, Charles T.
Andrews, William D.	Dolson, Thomas C.
Angle, Harold L.	Donovan, John B., Jr.
Apple, Richard K.	Douglas, Donald M.
Auer, William C., Jr.	Dowling, William P.
Baggett, Robert L.	Drake, James R.
Ball, George M.	Dubac, Carl H.
Baranski, Leonard S.	Dunn, Frank A., Jr.
Barnard, William H.	Dunn, Ronald E.
Barnes, Harry F.	Ebner, Thomas J.
Barnhardt, Richard H.	Edens, Allen R.
Barr, Victor M.	Edgar, Thomas R.
Bartsch, Robert W.	Edwards, Fred L., Jr.
Barwick, Hugh B., Jr.	Egan, Donald E.
Bates, John E.	Egan, John J.
Bath, Thomas J.	Eikenbery, Terry L.
Beagle, Ronald G.	Elardo, Frank P. Jr.
Bearce, Denny N.	Eskam, John A.
Beck, Peter S.	Evans, John S.
Beckman, Norbert J.	Ewoldsen, Hans M.
Beeunas, Lawrence F.	Fazekas, Alex E.
Beggin, John P.	Felker, James E.
Bench, Dan A.	Fentriss, James F.
Benson, James W.	Ferdinand, Warren A.
Berry, Roy L.	Ferree, Charles R.
Bickel, Robert F.	Fiel, Mervin A.
Billips, Charles E.	Finn, Robert C.
Bittner, Robert B.	Firing, Fritz
Blair, Lynde D.	Ford, Pat D.
Blasingame, Ben C.	Formanek, Robert L.
Bocklund, Daniel D.	Forsyth, Otis F.
Boggs, James C., Jr.	Fox, Clifford G.
Boswell, James M.	Farncis, Peter D.
Bower, William E.	Frank, Armin H.
Bowlin, Jerry T.	Franklin, Carroll R.
Boyd, Edward H.	Franklin, Ray M.
Brandt, Loren A.	Fraser, Donald R.
Braun, Richard G.	Fraser, James H.
Brokaw, James C.	Frasier, Joseph A., III
Brooks, Donald D.	Freeman, Larry W.
Brower, George H.	Friske, John D.
Brown, Bruce L.	Fudge, Robert J.
Brown, Robert S., Jr.	Gazzaniga, Donald A.
Bur, Arnold J.	Geddes, Donald P., Jr.
Burger, John C.	Gerleman, Loren D.
Burke, John J., Jr.	Getchell, James A.
Burnaman, Phillip R.	Giles, William G.
Burnham, Robert G.	Gillespie, Thomas E., Jr.
Burns, Jackie D.	Gillette, Earle J., Jr.
Burr, Robert H.	Glaser, Ronald R.
Burroughs, Franklin D.	Gonzales, Cyril E.
Butler, Wallace J.	Goodman, John C.
Calfee, Richard W.	Granger, Albert L.
Calleton, Theodore E.	Griffin, Warren L., Jr.
Cameron, Dougal A., III	Griffin, John L.
Campbell, Joseph G., Jr.	Gulick, Roy M., Jr.
Cannon, Floyd E.	Hager, George F., Jr.
Carbonar, Vincent A.	Hamilton, George S.
Carlton, John D.	Hammes, John K.
Carney, Robert T.	Hampton, Charles T.
Carolan, Frederick A.	Hancock, Thomas W., Jr.
Carrier, John H.	Harding, William W., Jr.
Carroll, Harry D., Jr.	Harman, John R.
Carroll, Edward P.	Harrity, Peter C.
Carter, Jared G.	Hart, James B.
Castonguay, Roger T.	Hart, Milledge A. III
Chapman, Harlan P.	Hayden, Francis M.
Clapp, James L.	Haymond, Phillip M.
Clark, Dale H.	Henry, John W., Jr.
Clark, George	Henry, Richard T.
Cobb, Westray S.	Herndon, Dale C.
Cody, Joseph F., Jr.	Hey, John M.
Cone, Fred J.	Hickox, Dean C.
Conway, Charles G.	Hinds, William R.
Cook, Robert M.	Hoffman, Russell E.
Cooley, James C.	Holiday, William G.
Coykendall, John M.	Holmes, Lee B.
Crews, Frank T., Jr.	Hook, Kenneth R.
Crone, Forrest W.	Hopkins, John I.
Cronin, Timothy J., Jr.	Hornsby, Malcolm T., Jr.
Crudup, Dempsey B.	Hovell, Peter F.
Dailey, John R.	Hughes, Guy D.
Davenport, Thomas F., Jr.	Hughes, Richard D., Jr.
Davisson, Elden R.	Hunt, Harry A., Jr.
Dettle, Christian J.	Hunt, Theodore E.
Dick, Jerry A.	Hurbis, Charles J.
Dixon, John A.	Huston, Ralph S.
Doerner, William C.	Jackson, William D.

James, Perry L.
Janovy, David L.
Jastrzemski, Walter M.
Johns, David D.
Johnson, Gunnar A.
Johnson, Lester E.
Johnson, Bruce W.
Johnson, Gordon E., III
Jones, Paul D.
Kaaa, Edmund W., Jr.
Kartchner, Orville R.
Katen, Arthur C.
Kent, James J.
Kenworthy, Richard J.
King, Paul D., Jr.
Kingree, Ben III
Kish, Joseph A.
Kisker, George W.
Klingensmith, Cloyd H.
Klosak, Eugene J.
Knettles, Charles E.
Knight, Frank P.
Knobloch, Eugene W.
Koehler, Clement J.
Koester, Charles T.
Kosmata, Alan R.
Kostesky, Raymond M.
Kraemer, Aaron
Krauss, Walter J., Jr.
Krop, Eugene D.
Kropp, Ronald G.
Kugler, Ernest R.
Kuttner, Ludwig G.
LaBonte, Jovite, Jr.
Lamb, Robert S.
Landis, John L.
Lane, James H.
Laue, John F.
Lawrence, Richard J.
Lay, Bobby A.
Lee, Alex
Leonard, Clark M.
Lethin, Ronald R.
Lewis, Franklin J.
Livingston, Henry S.
Llewellyn, John S., Jr.
Long, Howard L.
Long, William H.
Loring, Arthur P., Jr.
Lowrie, James F.
Luedke, Bruce D.
Lundberg, Darwin D.
Lutes, Edmund M., Jr.
Lynch, Bruce G.
Lynch, Jarvis D., Jr.
Lynn, Chester V., Jr.
MacFarlane, John L.
MacLeay, Donald L., Jr.
Maddox, Robert T.
Maeser, Earl S.
Manke, John A.
Marshall, John T.
Martin, Delbert M.
Martin, Joel A.
Martin, Robert S., Jr.
Massey, James L.
Massey, Schamyl C.
Matthews, Harris E.
Mavretic, Josephus L.
McAlister, Robert H.
McCloskey, Peter F.
McClung, Conrad O.
McClure, George M., III
McDavid, James E., III
McFadden, Dudley E., Jr.
McGrath, Daniel R.
McGregor, Jack E.
McKellar, Charles W. F.
McKenna, William E., Jr.
McManus, Edward P.
McManus, William J.
McMillin, Theodore R., Jr.
Mears, Leon G.
Meeth, John C., Jr.
Meiners, Joseph B., Jr.
Meister, George F., Jr.
Melton, Howard I., Jr.
Memmer, George V.
Menton, James P.
Mercier, Lawrence E.
Merline, David A.
Meserve, Richard C.
Miller, Michael
Miller, Neil P.
Milligan, Robert F.
Millington, Seth F.
Moe, Frederick J.
Monson, Charles L., Jr.
Moore, Robert S.
Moore, William B.
Moreton, James C.
Morgan, Harvey J.
Moriarty, Neil F.
Morris, George S.
Motherway, Robert T.
Movich, Richard C.
Mulrooney, Michael J.
Munro, Robert G.
Murtland, James B., III
Musilli, John A.
Necco, Charles R.
Nelson, William O., Jr.
Newman, Dewey L.
Newton, Carl W.
Nichols, Donald L.
Nist, James S.
Noll, Richard A.
O'Brien, Richard J.
Ogden, Don J.
Olin, Charles H.
O'Malley, James P.
Orlo, Carl D.
Ortman, Herman W.
O'Shea, Cornelius J., Jr.
O'Toole, Patrick E.
Owen, Ronald L.
Palmer, John K.
Pappas, Delos S.
Park, Blaine R.
Parke, Charles F.
Parker, John B.
Patterson, Richard A.
Paulson, Theodore R., Jr.
Penland, Richard K.
Perkins, Dayle M.
Perry, Clarence R.
Peterson, Richard I.
Phillips, Keith E.
Phillips, Reed, Jr.
Poche, Adolph J., Jr.
Porter, Charles R.
Porter, Leonard E.
Porter, Robert R.
Powers, Robert A.
Pratt, David T.
Preble, Lee A.
Rackham, Robert N.
Raitt, George D.
Reed, James P.
Reed, Ralph L.
Reese, John A., Jr.
Regan, Frank C., Jr.
Reilly, James K.
Reinecke, Frank M., Jr.
Reinke, Milton A.
Rice, James F.
Rivera, Cuevas S.
Roach, James L.
Rogler, John E.
Rohloff, Carl A.
Rourke, William B., Jr.
Russell, Eugene B.
Ryan, Edward F.
Ryan, Thomas J.
Rychlik, Robert W.
Sanchez, David A.
Sanders, Joe P.
Sargeant, Robert A.
Sasso, Louis G.
Schaet, Donald E.
Schaffer, William A.
Schmidt, James M.
Schneider, John F.
Schneider, William L.
Schoen, William A.
Schoon, John E.
Schroeder, Rolf R.
Schultz, Jack T.
Schumacher, James A.
Schweri, Philip A.
Scofield, David H.
Seals, Charles J., Jr.
Searle, Henry L.
Sells, William A., Jr.
Shank, Paul J., Jr.
Sheridan, Lawrence D.
Sheridan, Robert F.
Shigley, Richard T.
Shillinglaw, James S.
Shortt, Harry R.
Skelton, Richard J.
Slider, William P.
Slough, Phillip G.
Smallman, John
Smith, Donald D.
Smith, James W.
Smith, John D.
Smith, Robert W.
Soesbe, Keith E.
Solomonson, Carl, Jr.
Sonnen, Charles J., II
Spaete, Robert P.
Spooner, Richard T.
Stableford, Richard H.
Stannard, Robert A.
Stapleton, Gerald F.
Stauffer, Robert M.
Steele, Orlo K.
Stein, Michael E.
Stephenson, Benton E. Jr.
Stith, Edward E.
Stoddart, George A.
Stone, Rodney L.
Strain, Walter L.
Suhre, Walter A., Jr.
Sullivan, Daniel L.
Sullivan, John A.
Sumrall, Haskell H., Jr.
Svec, M. Ronald
Swab, James E.
Swartz, William J.
Swenson, Carter P.
Tatum, Ronald E.
Taylor, George H., III
Taylor, Richard B.
Taylor, Theodore W.
Tesarek, Dennis G.
Tharp, John J.
Thompson, Jack C.
Thompson, Milton S.
Throm, Robert B.
Toben, Theodore J., Jr.
Tonini, Franklin J.
Townley, Edward F., Jr.
Townsend, James B.
Trapp, Earl G.
Treat, Raymond C.
Treichler, Donald R.
Trent, Anthony
True, Robert H.
Tully, Thomas J.
Van Gorder, Jan H.
Van Leeuwen, Neil R.
Varney, Richard S.
Von Carp, Hermann E. F., Jr.
Wagenhals, Walter L.
Wagner, Robert C., Jr.
Waite, Haines D.
Walker, Edwin H., IV
Weidler, Jay B., Jr.
Weinerth, Stuart L., Jr.
Weld, Wayne C.
Whaley, William M.
Williams, Donald E.
Williams, James P.
Williams, Robert W.
Williams, John C., III
Wills, Wayne M.
Wilson, Donald B.
Wuertz, Joseph B.
Wynn, Anthony M.
Yezzi, Richard C.
Young, Melvin B., III
Adams, Richard J.
Brown, Richard H.
Burns, Mervyn J.
Carroll, Edward P.
Correll, William R.
Di Fiore, Harold J.
Eddy, John L.
Ellis, Gerald L.
Franzoni, Andrew E.
Gurtner, James F.
James, Gerald D.
Kerce, Herbert M.
Kitchens, Kenneth E.
Lee, Peter B.
Lively, Charles M.
Lougheed, Thomas P.
Miller, Ralph D.
Pitt, Albert
Rule, Julius M.
Spaulding, Dorsey L.
Wilde, Hugh L.

The following-named women officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Allen, Shirley L.
Auldridge, Carolyn J.
Connors, Anne M.
Durkin, Nancy J.
Farman, Elsa L.
Hernandez, Manuela
Knapp, Patricia A.
Leonard, Betty L.
Marting, Eleanor F.
Primeau, Elaine I.
Quisenberry, Delores J.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Adams, Dale H.
Adams, Hubert J., Jr.
Ades, Robert E., III
Alexander, John R.
Alexander, Richard H.
Allinder, Myrl W., Jr.
Alogna, John M.
Anderson, Leon L.
Anderson, John W.
Anthony, Anthony A.
Austin, Randall W.
Auten, Don E.
Baker, Charles W.
Baker, Horace W.
Barney, Dale G.
Barrett, Charles S., III
Bartol, Henry J.
Bauer, William D.
Beckwith, William H.
Behme, James E.
Bergen, Daniel F.
Bigler, James C., Jr.
*Bloodworth, John M.
Bohr, Harper L., Jr.
Boman, Bruce B.
Bonthron, William J.
Bossert, John M.
Bosworth, Gerald G.
Bowman, Donald G.
Brackman, James T., II
Brennan, William F.
Brickett, Charles M.
*Bridges, Larry W.
Brill, Newton C.
Brinegar, Richard L.
Brock, David A.
Brown, Charles J.
Browne, Edward R.
Buerk, Gerald S.
Burke, John P.
Burleson, Eugene B., Jr.
Buss, Richard H.
Butchart, Edward W.
*Butler, Frank H., Jr.
Butler, John W.
Byrnes, Robert E., III
Cady, Thomas C.
Callaway, Lee, III
Campanella, Francis B
Capek, Richard C.
Carswell, Donn A.
Carty, John J.
Cassidy, Myles D.
Caswell, Russell J.
Caton, James R.
Chambliss, John C.
Chappell, John F.
Clark, Robert L.
Clay, John P.
Clinton, James R.
Cobb, Jerry L.
Cohan, Leon, Jr.
Collins, Larry M.
Cooper, Matthew T.
Cooper, Samuel W.
Crabtree, Robert G.
Cullen, Robert F.
Culver, Richard O., Jr.
Cunningham, Dennis M.
Cunningham, Francis J., III
Curd, James H. R.
Cuthrell, Donald W., Jr.
Dalberg, James E.
Damuth, Don R.
Daniels, Clifton
Daugherty, Charles L., Jr.
Davidson, James U.
Davis, Charles E., III
Davis, Ronald W.
Day, Bernard C.
Dean, Alan J.
Dean, Bennett R.
*Dearth, Wayne R.
DeBrine, Richard A.
Deegan, Gene A.
DeMartino, Pasquale W.
Dennis, Charles H.
Donnelly, John L.
Donnelly, Walter A., Jr.
Dougherty, Paul K.
Doughty, Clifford C.
Douse, George H.
Driscoll, Eugene J., Jr.
Dube, Marcel J.
Dulaney, Richard L.
Dusek, Lowell Michael
Dwyre, Michael D.
Dyer, Calvin R.
Dyer, Paul W.
Ebanks, William J., Jr.
Edwards, Elgin C.
Evans, Robert V.
Featherstone, Robert K.
Felix, William D.
Ferguson, Robert A.
Fraser, Thomas J., Jr.
Fredericks, William B.
French, Leighton H.
Friedland, Alan S.
Garant, Philias R.
Garner, John T.
Gelpi, Gerard T.
Ging, Edward D.
Gleason, Michael N.
Goldberg, Marvin A.
Goode, Kenneth N.
Gordon, Richard H.
Granger, James H.
Gratto, Joseph M.
Green, John M., Jr.
Hafner, Bron D.
Halbleib, John A.
Hale, Harold W.
Hale, William H., Jr.
Hammack, Tommy R.
Hanley, Michael J.
Hanson, Richard A.
Hanthorn, Russell L.
Hardgrove, William R.
Harper, Hugh J.
Hart, John G., III
*Hart, Robert W., Jr.
Hatton, George A., Jr.
Haws, William E., Jr.
Hayward, Benjamin N., Jr.
Hemingway, John W.
Henry, James W.
Henry, Norman E.
Himmerich, Robert T.
Hodge, Gene D.
Hofland, Robert M.
Hogaboom, Pieter L.
Horne, George R., II
Houseman, William B.
Hudson, Jerry E.
Huff, Edwin L.
Hulme, Michael E.
Hurley, Robert B.
Iles, Jacob E.
Iliff, Warren J.
Imbus, Robert J., Jr.
Irish, Jerry A.
Isherwood, Geoffrey B.
James, Ronald K.
Jenkins, Jerry H.
Jespersen, Robert R.
Kaapu, Kekoa D.
Kammeier, Frederick A.
Kandra, Myron J.
Kazalunas, John
Keane, Michael F., Jr.
Kirkham, James H.
Klinkenberg, Arnold L.
Knapper, Roger E.
*Kohnen, Hubert
Kreicker, Graham H.
Kretschmar, Ernest T.
Lakes, Jack B.
Lammerding, Richard L.
Landy, Barry A.
Lanigan, John D.
Larson, Richard D.
Lawe, Richard C.
Lawler, Traugott F.
Leary, Daniel F., III
Lee, William F.
Lengauer, George T., Jr.
Letscher, Martin G.
Lewis, Sherman R., Jr.
Lindseth, Clarence D.
Little, John C., III
Longdon, Alexander P., Jr.
Luft, Robert S.
Lummis, Charles D.
MacCarthy, Alan W., Jr.
MacKay, Malcolm L.
Mackin, Patrick M.
Maguire, Robert J.
Mahoney, John M.
Maley, Frederic W.
Maloy, Kevin A.
Manazir, Charles H.
Martin, Edgar C.
Martin, Warren L.
Massey, Gerald J.
Mayberry, William B.
Mayers, Kenneth E.

McCabe, John G.
McCormick, Ralph C.
*McCraner, James N.
McDorman, Leroy D., Jr.
McElroy, Theodore R.
McFadden, Jack D.
*McGee, David O.
McKinney, Ronald D.
McKittrick, Robert O.
McNelly, John F.
McNutt, Kenneth A.
Mead, Charles P., Jr.
Means, Henry N., III
Meissner, Howard W.
Merriss, William D.
Milleman, Sherwood E.
Miller, Anthony D.
Miluski, Joseph J.
Mixson, Miles E.
Molsbee, Neil
Mooney, William A.
Morris, Paul D.
Mosher, David K.
Mulkern, Thomas R., Jr.
Mulkey, Jesse G.
Murdick, Perry H., III
Murphy, John R.
Naugle, Donald G.
Navadel, George D.
Neal, Robert G., Jr.
Newman, Gale L.
Nichols, Charles H., Jr.
Nicol, Alton E.
Nielsen, Bruce S.
Noble, Robert E.
Nugent, Wallace R.
Oakley, Cledith E.
O'Brien, Joseph J.
O'Hayre, John J., Jr.
Olson, Reid H.
Paige, Reid B.
Parks, Hugh L., III
Pastrell, Darrell K.
Phenegar, Wesley R., Jr.
Pierce, Jerry S.
Polk, Larry J.
Polyak, George R.
Pope, Ernie T.
Power, Thomas J.
Pratt, Thomas M., III
Quanrud, Richard B.
Radcliffe, Eugene T.
Raines, Richard C.
Rasavage, John R.
Ratzlaff, James W.
Reed, Robert W.
Reeves, Thomas L.
Reynolds, Richard C.
Rhinesmith, Gary B.
Roberson, John C.
Robinson, Donald M.
Robinson, Frederick J.
Rodewald, William O.
Rodwell, Roy O.
Rosenberg, Joseph F.
Roudebush, Tom
Roundtree, Lee C.
Rushing, Clifton L., Jr.
Russell, Francis P. Jr.
Russo, Anthony R.
Salmon, Michael D.
Scamehorn, Richard C.
Schenck, Kennell I., Jr.
Schermerhorn, Dale W.
Schmidt, John E.
Schneider, Herman W.
Seaver, Robert L.
*Seymour, Kenneth F.
Shannahan, John K.
Shroyer, David K., Jr.
Silvear, Thomas A.
Silver, Tommy J.
Simpson, Fred D., Jr.
Simpson, James F.
Sinnott, William T.
Smaldone, Ronald A.
Smith, Robert E.
Smith, William W.
Smyth, Thomas J.
Sotsky, George R.
Spangler, John F.
Sprick, Doyle R.
Stehr, Paul W.
Stewart, Douglas K.
Stoloski, William J.
Stremic, Anthony W.
Studer, Edward A.
Sudmeyer, Paul T.
Suedekum, Norman F.
Sutherland, Arthur A., Jr.
Sutton, Robert A.
Swenson, Wayne R.
Sydnor, Giles C.
Taylor, Bruce C.
Taylor, Franklin D.
Taylor, Richard H.
Telford, Jacque W.
Thames, Samuel E.
Thomas, Willard Y.
Thomas, William L.
Thompson, Amos D., Jr.
Thompson, Charles B.
Tilton, Richard C.
Tinker, Alan
Toelle, Alan D.
Toth, James E.
Uram, Edward T.
Van Antwerp, William M., Jr.
Van Niman, John H.
Van Tassel, Gerry L.
Vasko, George E.
Vaughn, Clovis S.
Vindich, Joseph G.
Volz, Carl W.
Vowell, David E.
*Waibel, Leonard C.
Wakefield, Robert H.
Wallace, Harry R.
Walters, Warren S.
Ward, Charles L.
Warnicke, Edward A.
Wasik, Henry J.
Wells, Jack W.
Wells, Raymond
Weltin, William L.
Werner, Robert G.
Westcott, William F.
Westphal, Paul E., Jr.
Whiting, Edward R.
Whittlesey, Joseph T.
Wier, David A.
Williams, Laurence T.
Williams, Walter L., Jr.
Willmarth, John M.
Wilson, David R.
Wilson, Robert B.
Wood, Howard C.
Woodward, Robert L.
Wright, Ronald W.
Yenerall, Grant L.
Yon, Dandridge H.
York, Geoffrey A.

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer, W–3, subject to qualification therefor as provided by law:

Eaton, Harvey M.
Ross, Robert G.
McArthur, Robert J.
Johnson, Roy K.
Frye, Robert A.
Travis, Willis S.
Davis, Jules E.
Thomas, Robert L.
Lawson, Jewel H.
Metz, George F.
Bogue, Douglas W.
Shellhorn, Melvin W.
Brown, Robert M.
Ronsvalle, John
Harris, Jesse R.
Clegg, Donald L.
Smiley, Hubert A.
Smith, Hulon C.
Beith, Rolfe H.
Alcorn, Murrie G.
Barnidge, James L., Jr.
McShane, H. Clint
Dale, Frederick H.
Cline, James, Jr.
Meinke, Theodore
Bouvy, Jack W.
Faraklas, Tom, Jr.
Elliott, Harry R.
Kibbee, Roy F.
Meek, Donald L.
McLane, Benjamin V., Jr.
Kerr, John D.
Pedersen, Eric T.
Davi, Charles V.
Labahn, Louis E.
Garrett, Willard D.
Chapman, Robert R., Jr.
Gibson, Herbert S.
Henry, Ernest C.
Peterson, William M.
Koste, Raymond A.
Palmer, Wayne G.
Holl, Frederick L.
Buckler, Robert E.
Brown, George H.
Anello, Ben
Mead, William D.
Hare, Casper P.
Oliver, Milton P.
Layne, Gerald J.
Rook, James A.
Gloshen, John R.
Watson, Robert T., Jr.
Rafi, Paul H.
Newton, Charles O.
D'Lamater, Robert J.
Crook, Rex W.
McClure, Robert J.
Bond, Willard K.
Allen, Lacy J.
Jessen, Jesse A.
McEwen, Charles E., Jr.
Young, Leonard R.
Strahan, John
Westmoreland, Robert H.

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer, W–2, subject to qualification therefor as provided by law:

Gilman, George L., Jr.
Robbins, Raymond B.
Osterhoudt, Peter C.
Parker, Barney W.
Barnes, Cletus, Jr.
Strong, Hubert R.
McLellan, Robert
Donahue, Leo J.
Rogers, William M.
Christie, Martin S.
McCullough, J. D.
Sroufe, Robert C.
Friar, Elton V.
Thomas, Johnny W.
Benavage, Peter
Stein, Samuel W.
Hayes, John L.
Costanza, Frank V.
Crocker, Ernest, Jr.
Martin, Galen R.
Westerlind, George L.
Williams, James T.
Zullo, Rocco A.
Dennis, Harold S.
Shansby, Melvin B.
Overs, Clarence J.
Le Bouf, Henry B., Jr.
Rodd, Richard T., Jr.
Bruce, Thomas H.
Gustafson, Walter C.
Lundgren, Darrell Q.
Slocum, Leslie V. R.
Wayne, James H.
Delaney, James J.
Normandeau, Joseph P.
Gilbert, Clifford R.
Murphy, James L.
Dyson, Frederick W.
Redmond, James E.
Van Note, Duane R.
Holland, John E.
Sparks, Sidney
Gamber, Michael
Brenton, Perry S.
Ritter, John L.
Lay, Cophes L.
Clark, Harry F.
Rypar, Joseph
Rogers, John L.
Ciampa, Angelo P.
Martin, Lawrence T.
Stuckey, A. W.
Sheridan, Lawrence V.
Brewer, Patrick R.
Babyak, Joseph J.
Brearey, Leonard J.
Duncan, Orville H.
Bailey, Walter L.
Clemons, William D., Jr.
Fix, Edwin J., Sr.
Scroggs, Frank W., Jr.
Robinson, Max E.
Sprague, Lee N.
Crawford, Roy H.
Border, James A.
Nixon, Joseph A., Jr.
White, William R.
Kammeyer, Preston L.
Russell, Robert H.
Maneely, William H., Jr.
Hall, Clyde T.
Newtown, Glenford A.
Kennedy, Jo E.
Corbett, William C.
O'Connor, Donald J.
Robertson, Margaret
Spikes, Aaron W.
Beyer, Huston H.
Georgia, Daniel C.
Burton, Ottis C., Jr.
Christ, Arthur J.
Young, Lauritz W.
Conner, Gerald H.
Patterson, Merlyn M.
Williamson, Robert V.
Palmer, Robert M.

IN THE NAVY

The following-named officers of the Navy for temporary promotion to the grade of lieutenant commander in the staff corps indicated, subject to qualification therefor as provided by law:

(*Indicates ad interim appointment.)

Medical Corps

Akin, George M., Jr.
Alspach, Rodger L.
Aquadro, Charles F.
Arnest, Richard T., Jr.
Arthur, Ransom J.
Barrick, Richard H.
Beckwith, Frederick D.
Bishop, Calvin F.
Brown, Herbert R., Jr.
Burke, Robert A.
Cady, Gerald W.
Cowell, William E.
Cox, John W.
DeForest, Robert E.
Dobel, Gerald F.
Eckert, Herbert L.
Egbert, Lawrence D., Jr.
Ewing, Channing L.
Garrison, Joseph S., III
Gossett, Clarence E.
Grause, Thomas J.
Grote, Arthur J.
Hart, George R.
Hinton, Benjamin F.
Jauchler, Gerard W.
Johnson, John D.
Kane, John R.
Kelly, Glenn F.
Kleh, Thomas R.
Koth, Douglas R.
Ledwith, James W.
McCord, Don L.
McHenry, Laudie E., Jr.
Most, John A.
Nunnery, Arthur W.
O'Connell, Fred H.
Osgood, Morgan F.
Ovington, Robert C.
Prather, Victor A., Jr.
Ramirez, Philip E.
Robinson, William M.
Sacher, Edward C.
Sammons, Billy P.
Sears, Peter D.
Sedwitz, Joseph L.
Shea, Martin C., Jr.
Spaulding, Raymond C., Jr.
Staggers, Frank E.
Szakacs, Jeno E.
Tabor, Richard H.
Trostle, Henry S.
Turner, Thomas W.
Watkins, Tommie K.
Wurzel, John F.

Supply Corps

Acree, Calvin "H"
Anderson, William "B", Jr.
Anweiler, Calvin R.
Armstrong, Edmund S.
Audino, Joseph R.
Austin, Robert C.
Ayrassian, Neshan
Baccaro, Michael V.
Balderston, Lee R.
Bassing, Bernard E.
Bayers, John A.
Benfell, Leonard H., Jr.
Bennett, William W.
Bergeaux, Floyd E.
Bingham, Mack "B"
Blassic, Robert S.
Bliss, Roger C.
Bollens, Alfred P.
Borchert, William H.
Braley, Charles R., Jr.
Bridges, Charles D., III
Bristow, John M.
Broili, Robert T.
Butler, Herbert F., Jr.
Byrd, James L.
Carmer, Elwood A.
Carrington, James H. H.
Carter, Robert T.
Cecil, William F.
Cefalu, Dominic V.
Chadwick, William A.
Chegin, George I.
Chester, Francis J.
Chetlin, Norman D.
Colbert, Bryan R.
Coons, William W.
Coryell, Rex S.
Crozier, Wayne R.
Culwell, Charles L.
Dasovich, Michael
Dauchess, Edward G.
Deutch, Martin J.
Dickson, Holton C., Jr.
Ditto, Chester L.
Doddy, William F.
Donahue, Daniel F.
Donoher, Thomas J.
Downs, Thomas R.
Duessel, Harold C.
Dunbar, Robert F.
Edson, Stephen R., Jr.
Edwards, Howard R., Jr.
Ellingwood, Leonard D.
Ferrell, Reginald G.
Forehand, Joseph L.
Frahler, Andrew L.
Francisco, Dick H.
Funk, Raymond W.
Futral, Herschel E., Jr.
Gamber, Gerald K.
Garbalinski, Walter
Garibaldi, James J.
Ghormley, Robert L., Jr.
Goldstein, Gerald H.
Granger, Howard P.
Grimes, Joseph L.
Haas, Harold E.
Haberthier, Jack H.
Haley, Richard W.
Hamric, Herschel B., Jr.
Hausold, Robert P.
Herndon, Paul C.
Herr, Gordon M.
Higgins, Everett C.
Hoffman, Rex V., Jr.
Hopkins, Leroy E.
Humphrey, Harvey R.
Ingram, Thomas J., III
Jackson, Dale E.
Johnston, William E.
Knapp, George H.
Kearsley, Harold
Kocher, Edward M.
Kreyenhagen, Milton E.
Kulczycki, Alfred S.
Leventhal, Robert S.
Levine, Alan Y.
Linthicum, Walter E.
Long, Samuel M., Jr.
Mahaffey, John J.
Malerich, Francis J.
Matthews, William H.
May, Richard C.
McEnearney, John E.
McMullen, Marvin E.
Medlin, Raymond A.
Mehaffey, Donald C.
Morgan, James P., Jr.
Morphew, Karl M.
Murphy, George A.

Murphy, Ralph F., Jr.
Murphy, Thomas F., Jr.
Naismith, James A.
Newman, Carl H.
Nicol, Robert G.
Owens, Andrew J.
Prestwich, John P.
Pringle, John B.
Rendelson, Paul L.
Renne, Raymond B.
Riger, Robert J.
Roberts, Calvin W.
Robinson, Kenneth M.
Roll, Arch C.
Sartor, Alvis D.
Schmidt, Robert V.
Scott, Harold K.
Selden, Clairborne T.
Slattery, John G.
Smeds, James H.
Smith, Charles M.
Smith, Roy F.
Speer, Wilburn A., Jr.
Stark, Warren H.
Stevens, Robert J.
Swanke, Charles C.
Swenson, Darrell E.
Tapp, James G.
Taylor, William L.
Tracy, George D.
VanMalsen, Wesley W.
VanZee, Elvin L.
Volkmann, Harry M.
Watson, Lawrence A.
Watson, Raymond A.
Watt, Robert J.
Webster, Kenneth B.
White, Warren P.
Will, James C.
Williams, Leslie W.
Wilson, Dorsey V.
Winfrey, William L.
Witte, Anton L.
Woodbury, Orpheus L., Jr.
Woodworth, Fred I., Jr.

Chaplain Corps

Barlik, Robert F.
Bodle, Harold D.
Byrnes, John P.
Carlson, Kenneth W.
Crabtree, Roger L.
Dodge, John K.
Forsyth, Willis J.
Fulfer, George W.
Gibbons, Alan R.
Grabowski, John
Griffin, Gordon H.
Griffin, Jack B.
Hailstone, Charles E.
Hardman, Samuel R.
Hershberger, George M.
Jones, Edwin S.
Kelly, Edward J.
Kiefer, Robert W.
Killeen, James J.
Kirkbride, Donald L.
Kirkland, Albert S. M.
Little, James S.
Mattiello, Lucian C.
McClone, Roger K.
Michael, Don M.
Nickelson, Jay V.
Odell, Robert W.
Oliver, Preston C.
Osman, Robert E.
Riess, Paul G.
Riley, Edward O.
Roberts, Stacy L., Jr.
Rogers, Lowell R.
Saeger, Alfred R., Jr.
Seiders, Marlin D.
Sessions, Hal R., Jr.
Sire, Elwin N.
Somers, Lester I.
Symons, Harold F.
Tillberg, Harlin E.
Titley, Richard K.
Trett, Robert L.
Trumbo, Warren D.
Ude, Willis P.
Vinson, William H.
Wolfe, Billy N.

Civil Engineer Corps

Anderson, Gordon A.
Bacon, Howard I.
Bartley, Delmar A.
Bibbo, Domenico N.
Bird, David R., Jr.
Birnbaum, Philip S., Jr.
Brown, Warren F.
Brown, Wesley A.
Calhoun, Charles W.
Carroll, Robert G.
Cavendish, Lynn M.
Clements, Neal W.
Dambra, Rudolph F.
Day, Frank W.
Day, James C., Jr.
Dickman, Robert E.
Dobson, John F.
Douthitt, Roy W.
Fluss, Richard M.
Galloway, James E.
Graessle, Howard D. II
Hackett, Arthur E.
Hoffman, George L.
Howe, Charles M.
Johnson, William M., Jr.
Kauffman, Steven K.
Kleck, William, Jr.
Litke, Robert A.
MacCordy, Edward L.
Marquardt, Walter E., Jr.
Marsh, Edward H. II
McEleney, Philip J.
McManus, Edward A.
Michael, Edwin M.
Nelson, Robert H.
Parsons, John E., Jr.
Profilet, Stephen B.
Raber, Robert R.
Schley, Gordon W.
Swecker, Claude E., Jr.
Taber, Donald O.
Tinklepaugh, Richard L.
Trueblood, Donald R.
Vance, Robert C.
Wagoner, Jack R.
Watson, John D., Jr.
Welton, Dexter M.
Wilson, Frank D.
Wittschiebe, Donald W.
Woodworth, Robert P.
Wynne, William E.

Dental Corps

Allen, Ethan C.
Atkinson, Ray K.
Baird, Daniel M.
Barrow, Paul E.
Beeler, Grover G., Jr.
Clouser, Earl G.
Corthay, James E.
Cullom, Robert D.
Davy, Arthur L.
Demaree, Neil C.
Gehrman, Robert E.
George, Raymond E.
Glasser, Harold N.
Hancock, Charles D.
Hartnett, Joseph E.
Heinkel, Erwin J., Jr.
Holland, Edmund M. R.
Hotz, Philip C.
Howard, Roger H.
Huestis, Ralph P.
Lyons, James J.
Marit, Dan
Mendel, Robert W.
Montgomery, Wendell E.
Oenbrink, Philip G.
Pennell, Ernest M., Jr.
Slater, Robert W.
Smith, Scott M.
Spicer, Robert H.
Swift, William S., Jr.
Thomas, Julian J., Jr.
Walker, William G.
Webb, John J.
Yarbrough, Jesse L.

Medical Service Corps

Arm, Herbert G.
Biessant, Angelo P.
Damato, Morris J.
Davenport, Thomas G.
Davison, Robert J.
Duckworth, James W.
Ellis, Dan K.
Grantham, Herbert G.
Green, Irving J.
Harter, Wilmer J.
Hatfield, Paul H.
Henning, William H.
Hull, Edward F.
Hutchinson, Albert P.
McIntosh, Charles I.
McWilliams, Joseph G.
Meriwether, Waters T.
Musick, Paul E.
Nice, Armand R.
Paige, Ray F.
Papi, John
Roberts, Robert M.
Sammons, Howard M.
Scrimshaw, Paul W.
Walter, Eugene L., Jr.
Werner, Gordon W.
Williams, Wayne E.
Zuelzke, Fred A.

Nurse Corps

Alexander, Betty J.
Allen, Doris M.
Balashek, Helen M.
Barber, Ella
Beretta, Gwendolyn L.
Bowman, Wanda C.
Bristol, Katherine J.
Broker, Irene W.
Brownstein, Dora
Burcham, Janice M.
Burns, Dolores T.
Cardillo, Virginia M.
Carmickle, Mary E.
Carroll, Emma L.
Christ, Gertrude A.
Clayton, Wilma C.
Cleary, Virginia M.
Crawford, Minnie R.
Crosby, Nancy J.
Davis, Betty M.
Davis, Jean E.
Devan, Winifrede
Devaney, Audrey M.
Dias, Louise S.
Doherty, Katheryn T.
Dowell, Patricia L.
Ellis, Barbara
Ernst, Joan T.
Evans, Daisy
Fenn, Bernice E.
Frank, Lillie M.
Gale, Mary I.
Gardill, Norma H.
Gormish, Sophia H.
Hanes, Eileen
Harper, Marchetta
Hart, Anna G.
Heimberger, Peggy S.
Hyler, Mary S.
Jakshe, Louise F.
Jones, Eva D.
Kane, Margaret A.
Kelly, Mary T.
Kenyon, Helen A.
Kessler, Lois P.
Lecroy, Margaret L.
Leoni, Clara J.
Lesho, Veronica A.
Lewis, Betty J.
Malloy, Kathleen M.
Merritt, Lois C.
Micklewicz, Marcella A.
Morris, Thekla W.
Pechal, Lily M.
Pelkington, Alva B.
Power, Luisa A.
Quillin, Rose M.
Rapp, Gloria V.
Redfern, Mary V.
Reid, May L.
Roark, Nathalie A.
Roller, Helen
Roth, Eva K.
Rowe, Dorothy L.
Schuh, Lorraine C.
Schultz, Aldona
Searcy, Owedia M.
Segin, Olga
Shearer, Carolyn J.
Short, Dorothea M.
Slate, Faye J.
Stankovich, Melva
Sterling, Gloria J.
Surman, Mary S.
Swoboda, Nadean M.
Thurnau, June R.
Trujillo, Virginia C.
Walker, Geneva E.
Wathen, Mary J.
Wentzel, Mary M.
Wilson, Marjorie R.
Zabel, Kathryn E.

The following-named officers of the Navy for temporary promotion to the grade of lieutenant in the line and staff corps indicated, subject to qualification therefor as provided by law:

Line

Abbott, Leonard J.
Abernethy, Paul L., Jr.
Adams, Jackie D.
Adams, John L.
Agnew, William F.
Ailes, John W., IV
Albritton, Charles R.
Alderson, Donald M., Jr.
Aldrich, Thomas L.
Alecxih, Donald A.
Alexander, Howard W.
Alexander, James W.
Allen, Bill R.
Allen, Charles A.
Allen, John C.
Allen, Peter F.
Alligood, Bruce T., Jr.
Anderson, Erns M.
Anderson, James C.
Anderson, Roland F.
Anderson, Ray "J"
Anderson, William P.
Andrews, Reece L.
Ansel, Frank N.
Armstrong, David W.
Aronis, Alexander B.
Arthur, Glenn N., Jr.
Artz, Robert C.
Ashby, Donald R.
Asher, Roy W.
Ashford, James P.
Asman, Robert K.
Astley, James F.
Atherton, Raymond
Atkins, George P.
Atkins, George T., Jr.
Augustyniak, Edward J.
Aut, Warren E.
Aven, Donald J.
Awbrey, Roy D.
Bader, Allen L.
Baglioni, Victor A.
Bailey, Gail R.
Bailey, John P., Jr.
Baird, Winfield S., Jr.
Baker, Richard L.
Baldauf, Laurence C., Jr.
Baldry, George K.
Baldwin, James T.
Baldwin, John A., Jr.
Baleme, Leroy C.
Ballew, Charles W.
Ballinger, Robert M.
Balsamo, Leo J.
Banbury, Floyd R.
Bannon, John M.
Banz, Robert D.
Bardwell, Robert F.
Barker, George D.
Barker, Monroe W.
Barker, William S.
Barnes, Richard A.
Barr, Walter A.
Barrett, James M.
Batdorf, Paul D.
Bates, Glenn D.
Bates, Walter F.
Battles, Roy E.
Batzler, John R.
Bauder, James R.
Baumgartner, John P.
Baxter, William J., Jr.
Bean, Alan L.
Beardslee, Ralph C., Jr.
Beavert, Alfred F.
Bechelmayr, Leroy R.
Beck, Norman E.
Beisel, Gerald W.
Bel, Douglas W., Jr.
Belay, William J.
Beltz, Russell C.
Benefiel, Oscar W.
Bennett, Joseph E.
Bennett, Raymond "D"
Benton, Joseph D.
Bernard, George O.
Bernardin, Peter A.
Berrier, John J., Jr.
Bethany, Jesse E.
Betsworth, Roger G.
Biegel, Herbert K.
Bigney, Russell E.
Bilderback, John E.
Billing, Clare B.
Bishop, Michael E.
Black, Cole
Black, George E.
Blackmar, Fredrik E.
Blaine, Robert D.
Blair, Peter S.
Blanc, Garvey A.
Blandford, James R.
Blount, Eddie B.
Blythe, Russell M.
Boardman, John R.
Bodensteiner, Wayne D.
Boland, Bruce R.
Bonham, Clarence C.
Bonner, James T., Jr.
Bonz, Philip E.
Borden, Archie D.
Bossart, Edmund B., Jr.
Bosworth, Kirk L.
Boucher, Francis T.
Boudreaux, Luk S., III
Boudreaux, Byron F.
Bourke, Donall G.
Bowen, Barry V.
Bower, Thomas E.
Bowler, Peter P.
Boyd, Robert L.
Brace, Robert L.
Bracken, Leonard A., Jr.
Bradley, Bedford C.
Brady, Frederick L., Jr.
Brainerd, John L.
Brandau, James F.
Braun, Carl T.
Brecheen, John A.
Bridenstine, Harold L.
Briggs, Donald R.
Brogden, Ronald D.
Brooks, Dennis L.
Broughton, James A.
Browder, Edward H.
Brown, Harold E.
Brown, Isom L.
Brown, Leo P.
Brown, Robert C.
Brown, Thomas F., III
Brown, Thomas N.
Brown, Victor A.
Browning, Robert B.
Brownlow, James H.
Brubaker, Joseph D., Jr.
Brunick, Gerard P.
Buchanan, Auda E.
Buck, Harry J.
Buckley, John E.
Bull, Norman S.
Bullard, Jerry L.
Burch, William J.
Burden, Harvey W.
Burgess, Harold E., Jr.
Burke, Thomas J., Jr.
Burnett, Richard W.
Burnham, Leonard
Burrows, Hubbard F., Jr.
Bush, William L., Jr.
Butterfield, Frederick D.
Buzzard, Robert D.
Byers, James "Z"
Byrne, Joseph L.
Byrne, Patrick S.
Cabot, Alan S.
Cade, John W.
Cajka, Anthony C.
Callahan, Robert L.
Cameron, Jim F.
Cameron, Robert W.
Camp, John R.
Campbell, Harry F., Jr.
Campbell, Richard F.
Campbell, Richard H.
Campbell, William H.
Cann, Thomas P.
Caraway, Elisha B., Jr.
Caricofe, Charles N.
Carlson, Dudley L.
Carlson, Leland J.
Carr, James M., Jr.
Carry, Allan H.
Carson, Burton E., II
Carter, Powell F., Jr.
Cartwright, Frederick E.
Carver, Robert L.
Case, Philip D.
Case, Robert W.
Caston, Terry G.
Caswell, David W.
Cazares, Ralph B.
Chadwick, William R.
Channell, Ralph N.
Chapman, Melvin E.
Chapman, William R.
Chase, Warren P.

Chiz, Thaddeus F.
Christensen, Howard E.
Christian, Robert R.
Christmas, Walter B.
Cicolani, Angelo G.
Cisson, Arthur
Clark, Charles F., Jr.
Clark, Orris V.
Clark, Robert "C"
Clausen, Carroll E.
Clement, Carl C., Jr.
Cleveland, Gary M.
Cliff, Gene L.
Cobb. George W.
Cockfield, David W.
Coe, Jonathan S.
Coffey, Roger L.
Coleman, Charles L.
Coleman, Theodore L., Jr.
Colley, Richard T.
Combs, Lawrence L.
Compton, George O.
Comstock, Richard I.
Conerty, Frank C.
Conlan, Robert L.
Conley, David J.
Conmy, Walsh J.
Connell, William C.
Conoly, Samuel S., Jr.
Constans, Robert F.
Conway, James M.
Cook, Charles F.
Cookson, Robert H.
Cooper, James A.
Copeman, Thomas H., Jr.
Corcoran, Martin F.
Corey, Stuart M.
Cornell, Gordon C.
Cornett, Paul A.
Corsi, Joseph A.
Cotton, Alfred S.
Coupe, Richard H.
Cowan, Stuart M.
Coward, Alton A., Jr.
Cox, Dwight H.
Craig, Lee R.
Crain, Richard W., Jr.
Crandall, Keith C.
Craven, John F.
Crawfoot, Edward R.
Crawford, Warren H.
Creech, Worley Y., Jr.
Creighton, Perry F., Jr.
Cress, Tom J.
Crider, James A.
Crosby, Frederick P.
Crosier, Dale F.
Crozier, Robert A.
Culhane, Daniel M.
Currie, Raymond M.
Curtis, Dennis E.
Curtis, William R.
Cutchen, Paul O.
Dalbey, Ralph J., Jr.
D'Aloia, John, Jr.
Daly, Paul S.
Damon, Terry A.
Dana, John B.
Dann, Alan O.
Davis, Carl F., Jr.
Davis, Charles N.
Davis, George W., Jr.
Davis, Harry L.
Davis, Richard C.
Davis, Thomas A. E.
Dawson, Albert L.
Day, Earl F.
Deal, James W.
Debroder, Glen G.
Decesare, Victor A.
Dedrickson, Charles R.
DeGroff, James L.
Deibert, Bernard N.
Deisher, Richard J.
Delano, George B.
Delashmitt, Joseph C., Jr.
Delozier, James L.
DelPlato, Lawrence S.
Dennison, Daniel C.
Dennison, William E.
Devito, Vincent H.
DeVries, Edgar L.
DiCarlo, Vincent A.
Dickens, Roderick S., Jr.
Dickson, George K.
Diehm, William C., III
Dietz, Warren C.
Dillon, John F.
Dimse, Richard H.
Dingle, James W., Jr.
Dobbs, William D.
Doheny, Vincent
Donahue, Joseph M.
Donnelly, Verne G.
Donovan, Ian E. M.
Donovan, Robert M.
Dopazo, Anthony J.
Dougherty, Gerald P.
Downing, Thomas P.
Doyle, Michael G.
Doyle, Robert C.
Dozier, George W., Jr.
Dresel, Loring P.
Duffy, Francis J.
Duffy, Leonard G.
Duke, Louie C.
Duke, Robert J.
Dunn, Joseph J.
Dupree, Richard E.
Durbin, Robert H., Jr.
Durgin, David A.
Duval, Montague R.
Dwyer, John L.
Eadie, James P., II
Earley, Joseph M., Jr.
Echard, Richard D.
Eckels, Donald E.
Eckerle, Charles R., Jr.
Edberg, Walter O.
Edgerton, Thomas H.
Edson, Charles T.
Egan, William P.
Eidsmoe, Norman E.
Elam, David L.
Elder, William N.
Elias, William, Jr.
Eller, Richard C.
Elliott, Charles P.
Elliott, Frederick H.
Emery, Robert E.
Emery, Thomas R. M.
Emmett, Joseph R.
Engelfried, Donald W.
Englert, Robert J.
Eppel, Calvin C.
Eppler, Billy M.
Erhardt, Richard O.
Erickson, Kenneth J.
Ervin, Billy M.
Erwin, Charles H.
Estocin, Michael J.
Etcheson, Gerald R.
Evans, Irvin R.
Evans, James J.
Evans, Richard P.
Evans, Thomas G.
Evrard, Leroy
Exley, William F.
Exon, Roger M.
Fairchild, Joseph D.
Fall, Robert H., III
Fancher, Allen P.
Farino, Francis J.
Farris, David E.
Fassett, Harold S., Jr.
Feakes, Fred A.
Feakes, George E., Jr.
Fech, Duane V.
Fegan, Joseph H.
Felling, Thomas A.
Fend, Clarence E., Jr.
Ferguson, Sam A.
Ferrell, Edward S.
Ferrier, Harry H.
Fields, James E.
Filbert, Harold C.
Fillingane, Hulon P.
Fink, Jerome I.
Finke, Walter J., Jr.
Fischer, Herman V., Jr.
Fisher, John C.
Fisk, Harold W.
Fitzgerald, John
Fitzsimmons, Robert J., Jr.
Fix, Vernon H.
Fladager, Myles E.
Flanigan, John E., Jr.
Fleming, James T., Jr.
Florin, Donald E.
Flowers, Walter R.
Foard, Wyatte F., Jr.
Foley, Harvey D.
Folta, Daniel A.
Foltz, Donald S.
Fonda, Raymond C.
Foote, Theodore P.
Ford, Daniel R.
Ford, Harold L.
Ford, James N.
Fordham, Barton W., Jr.
Forehand, Ronald
Forest, Joseph A.
Fountain, Robert R., Jr.
Fox, Evarts C., Jr.
Fox, Henry J., IV
Francis, Nigel D.
Frecker, David A.
Frederick, Peter G.
Freed, Maitland G.
French, Henry A.
Froid, James C.
Frye, Richard H.
Fueston, Vernon M., Jr.
Fulford, John A.
Fuller, Milo W.
Fullinwider, Simon P., Jr.
Fullmer, Charles R.
Funck, James R.
Gaines, Richard K., Jr.
Gallagher, John W.
Galli, William L.
Galvin, Robert J.
Gammell, Clark M.
Ganey, John R.
Gardner, Geoffrey L.
Garrow, Jack A.
Gasser, Thomas A.
Gattuso, Joseph A.
Gauthey, Jules R.
Gay, David E.
Gayle, Leroy F.
Geer, Richard G.
Gehring, Gary J.
Gerhan, Charles F., Jr.
Gerl, Neil D.
Gerrity, William J.
Giedzinski, Henry B.
Gilchrist, Richard B.
Gill, Russell R.
Gillett, Jerry T.
Gilliamsen, Donald A.
Gilmore, Kenneth D.
Gilstad, Gerald W.
Glanville, John T., Jr.
Gleim, James M.
Goetz, Robert B.
Golanka, Stanley R.
Golden, Robert H.
Gonzales, Alfred H.
Good, Robert C.
Gooden, Milford I.
Gooding, Charles L., Jr.
Goodman, Forrest H.
Goodson, Ray
Goodwin, Andrew J., Jr.
Gore, James R.
Graf, Howard F.
Graflus, Guy A. B.
Graham, Miles T.
Graham, Robert F.
Graham, Roger L.
Graham, Walter W., III
Grammer, William R.
Grant, Edwin H., Jr.
Granum, Roger B.
Graue, Clifford R.
Greathouse, Edwin A.
Green, Ellis F.
Greene, Donald L.
Greene, George W., Jr.
Greene, James F., Jr.
Greenhalgh, William T., Jr.
Grego, James M.
Griffin, James L.
Griffing, Edward P.
Grimes, Laurence H., Jr.
Groff, Charles C.
Grozen, Paul B.
Grundy, Charles D.
Grunewald, John W.
Grutchfield, Harold B., Jr.
Guidry, Rodney R.
Guilday, Daniel S.
Guille, Sherred L.
Guimond, Gordon R.
Gunther, Howard P.
Gussett, James C.
Hagee, Charles "R"
Hagen, Elmer C.
Hagen, Jack
Hagenau, Karl H.
Hager, Donald G.
Hague, John D.
Haines, Collins H.
Hall, Charles W.
Hall, Harry L.
Hall, Roy V.
Halle, "S" Portland, III
Halloran, John W.
Hamilton, David G.
Hamilton, Frank P.
Hamilton, Harry D.
Hamilton, Robert B.
Hampe, Barry F.
Hampton, Robert A.
Hamrick, Franklin G.
Haney, Norman L.
Hansen, Lawrence V., Jr.
Hanson, Robert P.
Harden, Thad H.
Harmon, "J" "E"
Harmony, Lee D., Jr.
Harms, Stanley J.
Harper, Elwood N.
Harper, Norman W.
Harris, Donald K.
Harrison, Stuart E.
Harsh, Kenneth C.
Harter, John V.
Harvey, Donald L.
Harvey, Neil L.
Harvey, Richard M.
Hastoglis, Anthony A.
Haverfield, Benjamin F.
Hawkins, Cecil "B," Jr.
Hawley, William C.
Haynes, John B.
Hazlett, Frederick W.
Heath, Edmund W.
Hebert, Donald F.
Heckman, Donald C.
Heisel, Lawrence L.
Hellinger, Richard L.
Henderson, Thomas F.
Henderson, Raymond R.
Henderson, Bobby G.
Hendricks, George H.
Hendrickson, Claude F., Jr.
Hepworth, Robert W.
Hernandes, Diego E.
Herndon, Herbert F.
Herzog, Louis L.
Heyl, William E.
Hickey, John A.
Hicks, Clarence A., Jr.
Higgins, Leo A.
Highfill, Kenneth L.
Hill, James G.
Hine, Raymond W.
Hine, William G.
Hines, Marion L.
Hinger, Carl K.
Hinton, Robert M.
Hobbs, William L., Jr.
Hoehne, Ralph L.
Hoff, Paul M., Jr.
Hogan, George C.
Hogg, Robert L.
Holland, John C., Jr.
Holland, Lee "M"
Holland, William J. Jr.
Hollinshead, William G.
Holman, Robert A., Jr.
Holmes, Donald L.
Holte, Hartley O.
Honeycutt, Jackson H.
Hoover, Harry A.
Hoppenjans, Lawrence G.
Horne, Hainyard L., Jr.
Hosepian, Edward S.
Hoskins, Perry D.
Houston, Chester E.
Howe, John E.
Hubbard, Henry L.
Hudson, Joe A.
Huff, Ralph R.
Huggins, Harry L.
Hughes, John W.
Hughes, Richard M.
Humphrey, Griffith L.
Hunt, Herman L.
Hunt, James H.
Hunt, Kirby P.
Hunt, Richard L.
Hussmann, Tom G.
Hyde, Willis G.
Hyman, Arnold J.
Hyman, Theodore K.
Idzi, Edward D.
Irvine, Thomas E.
Ives, Clarence D.
Ives, Richard H.
Jackson, Jimmie D.
Jackson, Joe T., Jr.
Jackson, Robert S.
James, Harry R., III
Janes, William E., Jr.
Jansen, Alexander J.
Janus, Anthony, Jr.
Jardine, Edward F., Jr.
Jaudon, Johns P.
Jedlicka, John E.
Jefferis, Lawrence R.
Jenkins, Gaston J.
Jenkins, John C.
Jensen, Carl T.
Jessen, Paul O.
Jewett, Robert G.
Johnson, Billie D.
Johnson, Donald L.
Johnson, Edward D.
Johnson, Edwin "C"
Johnson, George L.
Johnson, Grant R.
Johnson, John R.
Johnson, John A.
Johnson, Lauren A.
Johnson, Max R.
Johnson, Raymond F., Jr.
Johnson, Robert A.
Johnson, Roger D.
Johnson, Virgil J.
Johnson, William T.
Johnston, Edward A.
Johnston, Fred W., Jr.
Jones, Gerald L.
Jones, Harry W.
Jones, John L.
Jones, Richard M.
Jones, Robert E.
Jones, Robert L.
Jones, Roycroft C., Jr.
Jordan, Arliss L.
Jordan, Douglas S.
Judd, Robert G.
Jumper, Eugene A., Jr.
Jurgensen, Kenneth I.
Kaiser, Donald S.
Karlen, James H.
Katzman, Marvin S.
Kavanaugh, Alfred W.
Keaney, Mark J.
Kear, Donald
Keating, Leo P., Jr.
Keene, Thomas J.
Keener, Delbert V.
Keery, Jerry L.
Keiser, Robert B.
Keith, John D.
Kellaway, Peter W.
Keller, Constantine C., III
Kellerman, Donald W.
Kelly, Donald C.
Kelly, Gerald C.
Kelly, James P., Jr.
Kendra, Robert J.
Kennedy, Calvin E.
Kennedy, Jack M.
Kennington, William A.
Kerrington, Paul R.
Kerrigan, Robert J.
Kewley, Leslie P.
Keyes, Roy V., Jr.
Keys, Robert C.
Kibler, Timothy M.
Kiefaber, Thomas G.
Kiehl, Richard L.
Kilborn, Edgar L.
Kingston, Edward A.
Kingston, John J., Jr.
Kirby, Alexander G., Jr.
Kirby, Harvey R.
Klein, Verle W.
Kloves, Thomas R.
Klugman, Dale R.
Klusmann, Charles F.
Knapp, Franklyn P.
Knepper, Donald E.
Knepper, Robert R., Jr.
Knoth, Larence W., Sr.
Koch, Richard J., Jr.
Koehler, Robert L.
Koester, Frederick H., Jr.
Kohloff, Donald A.
Kois, John R.
Kolaras, Demosthen N.
Kolb, Stanley D., Jr.
Kopfman, Theodore F.
Kornblatt, Raymond H.
Kother, Charles G.
Kowalsky, Jerold D.
Kozischek, Albert J.
Krag, George H.
Kraus, Harold G.
Kraus, Kenneth E.
Krienke, Henry P.
Kronzer, Joseph J., Jr.
Kucera, Ronald C.
Kugler, Valarius E.
Kuhne, William P.
Kunkler, Hilary G.
Kuplinski, Stanley J.
Lacklen, Albert J.
Laghut, Herbert M.
Laine, LeRoy C.
Lake, Clarence R.
Lam, Chapman L.
Lamb, Walter W.
Lambert, Russell G.
Lamers, John P.
Lane, Robert W.
Langston, Thomas J.
Larson, John P.

Laughlin, Alvin T.
Lavallee, David O.
Lavallee, William F.
Lawless, Spencer C.
Lawniczak, George E., Jr.
Laye, John E.
Layn, Samuel W.
Leach, William J.
Leaver, John M., Jr.
LeClerc, Raymond P.
Lee, Leonard M.
Lee, Melvin R.
Lee, William P.
Leedom, Clair E., Jr.
Lehman, George W.
Lennon, Richard H.
Leo, Leonard
Leonard, Richard R., Jr.
Leopold, Robert K.
Lett, Raymond E.
Levey, Gerald
Ligon, Richard R.
Lilienthal, Donald H.
Lilly, John E., Jr.
Lindsey, Austin M.
Linehan, Donald B.
Lipford, William L.
Lipster, Donald C.
Liptak, Richard D.
Locke, William J.
Loeb, Gerald K.
Long, John F.
Lotton, Donald E.
Lotze, Herbert E., Jr.
Lowery, Willis E.
Lowrey, Clifford A.
Lucken, Frank E.
Lukomski, Fred J.
Lull, Edward W.
Lund, Eugene P.
Lundy, Robert H.
Luzader, Randall M.
Lyle, Frank E.
Lynch, Will T.
Lynn, John C.
Lyons, William P.
MacDonald, John W.
Mack, John A.
MacKenzie, Joseph D.
MacKinnon, Malcolm, III
Magee, Donald C.
Maki, Arthur O., Jr.
Malec, Joseph, Jr.
Mandly, Charles R.
Manikowski, Paul R.
Mann, John A.
Manso, Mike
Manthorpe, William H. J., Jr.
Maratea, Ronald "M"
Marcoux, Louis H.
Marsh, Lloyd P.
Marshall, Brendan P.
Marshall, Norman G.
Martin, Donald
Martin, Donald L.
Martin, George H.
Martin, George W.
Martin, Harry C.
Masalin, Charles E.
Mason, Stuart J., Jr.
Mathews, Richard L.
Matthes, Walter L., Jr.
Matthews, Mitchell D., Jr.
Matzner, Rudolph, Jr.
Mauer, Tommy L.
McAdoo, William C.
McArdle, Stephen J., Jr.
McCally, Kenneth R.
McCann, Joseph D.
McCarron, William E., Jr.
McCarthy, Charles J., Jr.
McCarthy, Paul F., Jr.
McCarthy, Richard J.
McCartney, Faber W.
McCauley, William F.
McClellan, Billy L.
McClelland, Jack E.
McClure, Jack A.
McClure, John S.
McComis, Charles W.
McCoy, Frank R., Jr.
McCrimmon, Douglas R.
McDonnell, John R.
McGonagill, Eber C.
McGonegal, Donal E.
McHale, Edward B.
McIntyre, James G.
McIsaac, Alben T.
McKay, Richard D.
McKean, Francis E.
McKee, Donald R.
McKinney, James D.
McKinnon, Thomas R.
McKinzie, Raymond C.
McLaren, Alfred S.
McLaughlin, John S.
McLyman, Edward J., Jr.
McMurtry, George J.
McNish, John E.
McQuaid, Robert W.
McSweeny, Robert H.
McVoy, Robert P.
Meloy, Robert T.
Melton, Carroll D.
Melton, Wade I.
Meltzer, Herbert S.
Mengle, Kenneth J.
Merritt, Paul R.
Merritt, Robert S.
Mester, Richard L.
Meyer, William F.
Michael, Benjamin H.
Middleton, Jerry T.
Mieldazis, Richard J.
Mielich, Robert M.
Miesse, Walter T.
Miles, Robert W.
Miller, Justin A., Jr.
Miller, Robert N.
Miller, Robert W.
Miller, Ronald C.
Miller, Ronald D.
Miller, Theodore W.
Minnich, Donald E.
Mixon, Richard I.
Mlekush, Matt C.
Mohr, Charles R.
Monaghan, James J., Jr.
Monroe, Henry L., Jr.
Moody, DeWitt H.
Moore, Gene R.
Moore, Thomas H.
Moore, William H., IV
Morano, Anthony
Morgan, Charles H.
Morgan, John R.
Morris, James I.
Morrison, Robert M.
Mortvedt, Robert E.
Moss, David P.
Moss, David L.
Motes, Thomas L.
Mott, Charles E.
Moxley, Donald F.
Mudgett, Richard L.
Munger, Burton L.
Munsey, Malcolm H.
Murphy, James F.
Murphy, John J.
Mustin, Henry C.
Myer, Charles W.
Myers, Robert U.
Myers, Willie R.
Narmi, Ronald E.
Narowetz, Bruce A.
Nations, Travis D.
Naylor, Olen E., Jr.
Needham, Donald E.
Nelson, Richard T.
Nelson, Roger E., Jr.
Newbegin, Edward C.
Newbegin, Robert G., IV
Newell, Byron B., Jr.
Newman, Charles L.
Niemela, George R.
Nixon, Robert T.
Nolan, Walter E., Jr.
Noll, Rolf F.
North, Henry C., Jr.
Norton, James
Nourse, George H.
Nyhus, Keith A.
Nyquist, John W.
Oakes, Winslow B.
Oates, Carl W.
O'Brien, Charles M., Jr.
O'Connell, Daniel E.
O'Connell, Robert L.
O'Connell, Richard M.
O'Dea, Paul F.
O'Dell, Jerry T.
O'Donnell, John L.
Oehlbeck, Edward W.
Offins, Jack A.
Ogden, Edward G.
O'Hara, James M.
O'Leary, Richard E.
Oliver, Charles P.
Olmstead, Stanley E.
Olsen, Walter E.
Olson, Gary E.
Olson, Ross S.
Ormond, George, Jr.
Ortmann, Dean A.
Osborn, Harold N.
Osborn, Lloyd C.
Osher, Victor E., Jr.
Oslun, William J.
Ostergren, James E.
Ostlund, Ross G.
O'Toole, Walter D. J.
Overbay, William A.
Overdorff, William R.
Overman, Percy C., Jr.
Overman, William J., Jr.
Padrta, Jerry C.
Parker, Elton C., Jr.
Parker, Frank
Parker, John T., Jr.
Patch, Harry W., Jr.
Patterson, Joel D.
Paul, Roy C.
Payne, Thomas G.
Paynter, David M.
Pearl, Harlan R.
Pearl, Robert E.
Pearson, Joseph K.
Peckham, Daniel E.
Peebles, Edward M.
Peirce, William B.
Perez, Joseph F.
Perry, Gilbert R.
Perry, Raymond
Pesenti, Francis V.
Peters, Richard A.
Petersen, Gordon S.
Peterson, Fred C.
Peterson, Richard A.
Petranek, Vernon E.
Petri, Gordon L.
Petty, Dale B.
Pfeiffer, Paul N.
Phillips, Charles W.
Phillips, George S.
Pielstick, Blake H.
Pierce, John T.
Pietrowski, Joseph L.
Pirie, Robert B., Jr.
Platz, Bruce W.
Plesur, Jack J.
Plowman, Herschel L.
Plumly, Charles M.
Poe, Alfred L., Jr.
Poissot, Marvin S.
Pollak, Robert K.
Pollard, William A.
Pollmann, Eugene L.
Poore, Glen W.
Porter, Allan A.
Porter, Edwin D.
Potter, Thomas B., Jr.
Potter, Willis F.
Potts, Bill H.
Powell, John H.
Powers, Edward F., Jr.
Powers, John B.
Pray, William L.
Prentice, Gordon R.
Pressly, George B.
Pruden, Neil "S"
Pugliese, William N.
Pullen, Luther D.
Rademacher, John W.
Raiter, Richard F.
Rammelmeyer, Ross
Rasmussen, Lloyd W.
Ratliff, William E.
Rausch, Leonard M.
Raysin, Paul E.
Rebello, Kenneth R.
Reed, Calvin C.
Reed, Richard L.
Reed, William C.
Reeder, John G.
Reedy, David A.
Rees, Malcolm C., Jr.
Reid, Gerald E.
Reise, Thomas L.
Reitzel, Philip M.
Renard, John W.
Renninger, Willard H.
Rentz, William O. K.
Reszetar, Stephen W.
Reynolds, David B.
Reynolds, Keith A.
Reynolds, Preston A.
Rhodes, William K., Jr.
Rice, Eugene M.
Rice, Keith J.
Rice, Robert C.
Richards, John R.
Richey, Fredrick J.
Ricketts, Myron V.
Riddell, Alvin R.
Riendeau, Gerald L.
Ries, Ronald E.
Riley, Ivers W., Jr.
Riley, Thomas R., Jr.
Ritter, Todd D.
Riviere, James P.
Roach, Harold S., Jr.
Roberts, John W.
Roberts, Lloyd C.
Robertson, John L.
Robinson, Clifford V.
Robinson, Joel A.
Robinson, Robert M.
Rockwell, William A.
Rogers, Eugene
Rollins, Everet F., Jr.
Rose, Russell L.
Roth, James F.
Roth, James A.
Rothrock, James C.
Rouchon, Alvin A.
Rowe, Kirk W.
Rule, Robert R.
Ruotolo, Anthony P.
Rush, William H.
Ryan, James W.
Ryan, John N.
Ryan, Roger P.
Ryman, Gerald M.
Salmon, Robert L.
Samonds, John P.
Sample, Chester G.
Samuelson, Charles R.
Sanders, Carl H., Jr.
Sanders, James D.
Sandmeyer, Thomas E.
Sanstol, George S.
Santivasci, John D.
Saunders, Wesley L., Jr.
Saunders, Wesley W.
Schelling, Arthur L.
Schleichardt, Robert K.
Schlemmer, Robert M.
Schmidt, Edward A.
Schoenberger, Frederick B.
Schrader, Harry C., Jr.
Schultz, Thomas D.
Schulze, Walter H., II
Schuppert, Vincent J.
Schwaebe, Charles F.
Schwartz, Robert J.
Scoles, Albert J.
Scott, Ausgustus E., Jr.
Scott, Austin B., Jr.
Scott, Gary L.
Scott, George W.
Scott, MacGregor G.
Scott, Ronald D.
Searight, Murland W.
Seely, James M. G.
Segal, Robert "B"
Seibert, Markley R.
Seiger, Lawrence S.
Selgrath, James J.
Shacklock, Floyd B.
Shand, William F.
Shanley, Robert J.
Shearin, John W.
Sheldon, Charles "B"
Sheldon, George E., Jr.
Shelton, Donald C.
Shepard, Rolf A.
Shields, Dan G.
Shine, Thomas, Jr.
Showers, William H.
Shows, Ned H.
Shulick, John, Jr.
Shultz, Donald E., Jr.
Shumate, James W.
Shupe, Gordon B.
Sides, Winfield M., Jr.
Sievert, Robert G.
Siljestrom, Gordon F.
Sill, John R.
Simia, Richard
Simmering, Larry K.
Simon, Roger O.
Sineath, George E.
Singer, Charles V., Jr.
Skelton, Wallace A.
Skorupski, Stanley S., Jr.
Slayton, Marshall T.
Sleet, Harold D.
Smith, Allen, III
Smith, Barton L.
Smith, Charles R.
Smith, Charles L.
Smith, Darrel
Smith, Dickinson M.
Smith, Donald A.
Smith, Edward G.
Smith, James L.
Smith, John W.
Smith, Kenneth E.
Smith, Lewis D.
Smith, Marvin G.
Smith, Ralph A., III
Smith, Richard J. W.
Smith, Robert L.
Smith, Walter S.
Smith, William D.
Smith, Winchester "C," Jr.
Smithhart, Richard A.
Snow, James R.
Snyder, Gary L.
Snyder, Sherman R.
Sommers, Carl W., II
Sommerville, William J., Jr.
Sorensen, Jackie R.
Sottak, Edward J.
Sousa, Manuel B., Jr.
Sousae, Jack F.
Southall, Charles M.
Southard, David F.
Spear, John R.
Spence, Harry E.
Spencer, Walton R.
Spisak, Thomas J.
Spry, Norman L.
Staggs, Dudley V., Jr.
Stallman, Thomas F.
Stanley, Herbert L.
Starbuck, Thomas H.
Steffenhagen, Paul R.
Stehle, Leroy R.
Steketee, Frederick B.
Stembel, David M., Jr.
Stephens, Francis L.
Stephens, Gordon L.
Stetz, Elias J.
Stevens, James R.
Stevens, William
Stevenson, George L.
Stevenson, Peter K.
Stewart, John E.
Stock, Merlyn L.
Stoddart, Ronald L.
Stokes, Francis G.
Stone, Jack W., Jr.
Stone, Ronald P.
Storm, Carroll F.
Stott, George W., Jr.
Stouter, Leland R.
Straley, Ralph N., II
Strang, Carl J., Jr.
Strange, Robert C.
Streit, John B.
Striffler, Willard C., Jr
Stuart, Donald B.
Stuebben, Richard W., Jr.
Stuntz, Harley L., III
Sturtz, Donald L.
Sullivan, Dennis J., Jr.
Sullivan, Florence M.
Sullivan, Martin J.
Sullivan, Thomas E.
Sutherland, Paul E., Jr.
Swaim, Wilber B.
Swenson, Nils A.
Switzer, Robert J.
Sylvester, Charles T.
Sympson, William G. A., Jr.
Tallman, John M.
Tarka, Thadeus
Tarver, Charles A., Jr.
Tassell, James E.
Taylor, John E.
Taylor, Patterson C.
Tennison, Raymond P.
Terrill, Horace J., III
Test, Richard "Z"
Thayer, Albert J.
Thomas, Benjamin A.
Thompson, Emil S., Jr.
Thompson, Ernest T.
Thompson, Harry E.
Thompson, James C.
Thompson, Richard G.
Thrailkill, Chester J.
Thune, John R.
Tice, George D., Jr.
Tindall, Frederick W.
Todaro, Donald G.
Todd, James F.
Tollaksen, Robert E.
Toncray, James R.
Toney, Albert L., Jr.
Toupin, Ernest J., Jr.
Toutant, Donald J.
Tracy, William K.
Trask, Ace F.
Treese, Clifford D.
Trelford, Wallace E.
Trimble, Delmer
Truman, Ernest V., Jr.
Trygsland, Arnold L.
Tsantes, George, Jr.
Tucker, James R.
Tucker, James W.
Tucker, John E.
Tully, William R., Jr.
Turner, Edmond L.
Turner, Lee R., Jr.
Turpel, Joseph F.
Udall, Gordon F., Jr.

Ullman, Robert W.
Ulrich, John H.
Underwood, Fred S.
Updike, Walter G.
Vainosky, Thomas M.
Van Dermay, Robert E.
Vandewater, George L., Jr.
Van Dien, Casper R.
Van Dusen, Harold L.
Van Kleeck, Loring E.
Varhalla, Michael R.
Vaughan, Gordon G.
Vaught, Gerald C.
Veatch, Philip A.
Vehorn, Raymond C.
Vernam, Claude C.
Vilhauer, Levern T.
Villar, Emmanuel J.
Villemaire, Grant J., Jr.
Vinson, Howard E.
Volk, George H.
Von Perbandt, Louis K.
Wack, Charles G.
Wade, Seaborn H., Jr.
Wagner, Harry A.
Waitley, Denis E.
Walck, Claude W.
Walden, William A.
Waldrop, Clyde E.
Walker, Benny R.
Walker, Eugene R.
Walker, John A., Jr.
Walker, Raymond H., Jr.
Walker, William R.
Wallin, Homer N., Jr.
Walsh, Lawrence P.
Walter, Donald W.
Walter, Howard J.
Walter, Joseph J.
Walther, Peter E.
Wanbaugh, Peter M.
Warburton, Thomas G.
Ward, Charles W. D., Jr.
Ward, Conrad J.
Ward, John H.
Wardwell, Edward A.
Ware, Larry E.
Warnke, James F.
Warren, Frank B.
Warrick, Richard P.
Warthen, Ronald R.
Watson, Jerome F.
Watson, John
Watson, Thomas H.
Watts, Harry C.
Ways, Raymond A.
Wear, Richard J.
Weaver, John C.
Webb, James E.
Webb, John B.
Weber, Richard M.
Webster, Hugh L.
Wehrmeister, Raymond L.
Weil, Calvin M.
Weimorts, Robert F.
Weis, Richard L.
Weller, James R.
Werblow, John W.
West, Donald A.
Westbrook, Darrel E., Jr.
Westfall, Ronald C.
Wetzel, James F.
Whalen, Joseph D.
White, Bernard A.
White, Billy J.
White, Danforth E.
White, Marvin L.
White, Trentwell M., Jr.
Whiting, Ted "E"
Whitney, Frank C.
Wickwire, George A., Jr.
Wigley, Lawrence S.
Wigley, William W.
Wild, John E.
Wilkinson, Edward A., Jr.
Wilkinson, Bruce S.
Will, Charles H., Jr.
Willett, Richard S.
Williams, David E.
Williams, Gerald G.
Williams, Gordon R., Jr.
Williams, John O., Jr.
Williams, Joseph F.
Williams, Percy W., Jr.
Williamson, John P., Jr.
Willyard, Robert H.
Wilson, Derek W.
Wilson, Gordon B.
Wilson, John R., Jr.
Wilson, Victor L.
Wilson, Wayne W.
Wilson, William R.
Wilster, Gunnar F.
Winchester, Warren H.
Windham, Paul M.
Witthoft, Ronald D.
Wittner, Carroll H. J.
Wolkensdorfer, Daniel J.
Wood, Albert A., Jr.
Woods, Carl J.
Woolnough, Robert M.
Woolway, David J.
Worth, Douglas A.
Woxvold, Eric R. A.
Wright, Murray H.
Wright, Ronald A.
Wyatt, Joseph E.
Yonke, William D.
York, Howard L.
York, Willard B.
Young, Clinton H.
Young, Leonard R.
Young, Milton E.
Yuscavage, John M.
Zadd, Charles J.
Zimmerman, Robert V.
Zipf, Otto A.
Zseleczky, Emil J.

Supply Corps

Allen, Samuel B., Jr.
Andersen, Elif A.
Ardizzone, Joseph C.
Awalt, Richard E.
Barbary, Robert A.
Beach, Herman D.
Beals, Donald A.
Bedford, Arthur G.
Begley, John A., Jr.
Bennett, Charles A., Jr.
Beumer, Delbert H.
Bilka, Joseph L.
Blake, James F., Jr.
Bonnett, Herschel J.
Braun, Arthur F.
Buehler, Cyril H.
Carlson, Verner R.
Causbie, Edgar S.
Chrisman, Alfred B.
Clamp, Robert W.
Clark, Davis L.
Coleman, Eugene V.
Collier, William G.
Conway, James P.
Davis, Robert W.
Devenney, James J.
Dolloff, Robert H.
Douglass, Jerry B.
Dowling, Richard M.
Dugue, Regis G.
Ellis, Richard W.
England, Alfred I.
Erickson, Barry M.
Flynn, John J., Jr.
Foreman, Clarence P., Jr.
Frost, Laurence W.
Gaddis, Glenn L.
Gallagher, Robert F.
Gallaher, James H.
Griffiths, Charles E.
Hamilton, John F.
Hamilton, James W.
Hamilton, Michael H.
Hayes, Lester D., Jr.
Haynsworth, Hugh C., III
Henseler, Richard C.
Hirschy, Henry E., Jr.
Holder, James R.
Holland, Ralph L.
Jackson, Gerald E.
Jacobson, Samuel
Jerauld, William E.
Jones, Bobby J.
Jones, John M., Jr.
Kaiser, Robert A.
Knock, Richard T.
Kurowski, Raymond J.
Lang, Robert D.
Leal, Milford A.
Leftwich, Harry W.
Lemma, Paul A.
Lovelace, Donald A.
Lovelace, James B., Jr.
Maney, Jerry "B"
Manley, Eugene T.
Manson, Albert A.
Mara, Ray A.
Martin, Winston L.
McCahon, John T.
McInnis, William H.
McLaughlin, Richard B.
McSwain, Billy G.
Mead, George W., III
Mehrens, Arthur J., Jr.
Miller, David O.
Murray, Robert E.
Narducci, Charles C., Jr.
Newcomb, Frank N.
O'Donnell, William P.
Olinger, Richard S.
O'Neil, James R.
Pace, Earl H.
Perkins, James O.
Powell, William M.
Rader, Farrell J.
Ribbe, Richard H.
Rittenberg, Leonard P.
Ruese, Edward F., II
Ruth, Richard A., IV
Ruth, Stephen R.
Shumaker, Carl
Singer, David A.
Smith, Allen F.
Smith, Jack L.
Sojka, Casimir E.
Steadman, Will G., III
Stephens, Dennis R.
Stok, Joseph W.
Stombaugh, William E.
Straw, Donald G.
Sullivan, Patrick D.
Sweeney, James W.
Sweet, Warren "M"
Szwed, James A.
Taylor, Robert R.
Thurston, Clarence J.
Tokay, Ronald N.
Trenkle, William H.
Turcotte, William E.
Virden, Frank S.
Vogel, Carl P., Jr.
Vollum, Robert B.
Webb, Carl R., Jr.
Webb, Hoyt T.
Webb, Jimmy D.
Wildman, John E.
Willenborg, Harold H.
Wilson, Frank K.
Wilson, Richard F.
Wright, Cary F.
Wright, James H.
Wright, Walter F., Jr.
Zoller, Paul G.

Chaplain Corps

Carpenter, Elbert N.
Chambliss, Carroll R.
Clardy, William J.
Dodson, Leonard W., Jr.
Doxie, Donald F.
Doyle, James F.
Fedje, Earl W.
Fuller, Harold E., Jr.
Goss, Hubert S., Jr.
Greenwood, Charles L.
Kinlaw, Dennis C.
League, William C.
McAlister, Fred R., Jr.
Newton, John G.
Plank, David P. W.
Schneider, Otto
Seegers, Leonard O.
Swenson, William R.
VanLandingham, Maurice R., Jr.
Wuebbens, Everett P.

Civil Engineer Corps

Andress, Hyneman M.
Auerbach, Ralph W., Jr.
Bair, William A.
Barry, Richard P.
Brogan, Cornelius P.
Brooks, Murray L.
Brown, George H.
Burdick, William E.
Clark, Jerry L.
Conner, Donald L.
Eager, Walter J., Jr.
Grinke, Walton J.
Jacobs, Aaron B.
Kramer, Robert L.
Kreshin, Lawrence
Lowe, Stephen D.
MacFarlane, Neil L.
Moger, Jack B.
Minnier, William F.
Myers, Russell, Jr.
Oliver, Philip, Jr.
Peace, Robert C.
Perry, Phil M.
Phenix, Robert P.
Ruff, Lowell H., Jr
Shafer, Willard G.
Skrinak, Vincent M.
Smila, William W.
Stedman, Ralph S., Jr.
Taglienti, Gene S.
Tate, Thomas N.
Weis, John M.
Westberg, Robert J.
Wile, Dorwin B.

Medical Service Corps

Andersen, Walter A.
Barker, Samuel D.
Brownlow, Wilfred J., Jr.
Coulson, Harold H.
Davies, John A.
DeCesaris, Chester A.
Devine, Leonard F.
Devine, Robert G.
Dickerson, Kenneth H.
Floan, Kenneth F.
Forrester, George G., Jr.
Gallaher, Robert E.
Harvey, Billy D.
Herrin, James H.
Jordan, Thurman O.
Kendrick, Allison N.
Kramer, Stanley H.
Ksenzak, Joseph F.
McGehee, Thomas L.
Myers, John David
Neuman, Richard
O'Connor, William F.
Paxton, Arthur W.
Ramirez, Gale
Ruffin, Robert S.
Sanborn, Warren R.
Shaneyfelt, Carl L.
Sims, John L.
Skidmore, Wesley D.
Smith, Dewey L., Jr.
Snowden, Donald J.
Spahn, James A., Jr.
Stallings, Orlando
Tanner, Millard F.
Whitlock, William E.

Nurse Corps

Cordell, Billie E.
Csik, Theresa H.
Effner, Dorothy J.
Emter, Dorothy M.
Glawson, Isabel C.
Hunt, Florence E.
Jones, Mary L.
Nagy, Bettye G.
Nester, Mary L.
Pappas, Johannah H.
Pearce, Martha V.
Sparks, Beverly J.

The following-named woman officer of the Navy for permanent promotion to the grade of lieutenant commander in the Supply Corps, subject to qualification therefor as provided by law:

Kaye, Shirley J.

The following-named women officers of the Navy for permanent promotion to the grade of lieutenant in the line and Supply Corps as indicated, subject to qualification therefor as provided by law:

Alexander, Jane C.
Bales, Barbara L.
Bennett, Marjorie L.
Clinton, Clydenna L.
Gregg, Elizabeth L.
Hill, Beverly I.
Horn, Emile L.
Kuhn, Lucille R.
Lanier, Henrietta R.
Letham, Margaret E.
McDonough, Lida J.
McIlraith, Margaret A.
O'Connell, Sally H.
Reynolds, Mary C.
Sarbaugh, Rachel J.
Sloman, Jean P.
Suneson, Charlene I.
York, Beverly F.

Supply Corps

Beiszer, Margaret C.
Carr, Mildred L.

The following-named (Naval Reserve Officers Training Corps) to be ensigns in the line of the Navy, subject to qualifications therefor as provided by law:

*Sully W. Bonansinga
*Howard A. Dovre
*James F. Euclide
*Martin B. Klein
*Donald A. Trull
*Robert E. Van Heuit

The following-named (Naval Reserve Officers Training Corps) to be ensigns in the Supply Corps of the Navy, subject to qualifications therefor as provided by law:

*Frederick C. McKenney
*Roger T. Morrison

The following-named (Naval Reserve Officers Training Corps) to be ensigns in the Civil Engineer Corps of the Navy, subject to qualifications therefor as provided by law:

*William D. Gabbard
*Roy H. R. Gilbert
*David H. Glenn

George A. Nelson, Jr. (civilian college graduate) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Medical Corps of the Navy, subject to qualifications therefor as provided by law.

The following-named (Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

*Jorge R. Valdivieso del Toro
Ralph K. Zech

The following-named (Reserve officers) to be lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

*Michael C. Carver
*George W. Goldthorpe
*Charles R. Hamlin
*James L. Hughes
Thomas E. Maxwell
John T. Rulon
*Daniel Shuptar

The following-named (Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

Charles C. Ching
John C. Dalco
Robert C. Garrison, Jr.

Donald K. Hitman
*Edmund P. Jacobs
John F. Nowell
*Arthur L. Rehme
Robert Saffian
Guy B. Townsend
Richard L. Weidenbacher, Jr.
Alan F. Wentworth
Harry Zehner, Jr.
Luther A. Youngs, III

*Toshiko Motomatsu (Reserve officer) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Nurse Corps of the Navy, subject to qualifications therefor as provided by law.

CONFIRMATION

Executive nomination confirmed by the Senate February 2, 1959:

MISSISSIPPI RIVER COMMISSION

Maj. Gen. Keith R. Barney, U.S. Army, to be a member of the Mississippi River Commission.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 2, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Joshua 1: 9: *The Lord thy God is with thee whithersoever thou goest.*

Most merciful and gracious God, help us in this moment of prayer to gain a vital and vivid sense of Thy guiding and sustaining presence.

Grant that our minds and hearts may be inspired with a more filial trust in Thee and a more fraternal attitude toward all the members of the human family.

Give us the glad assurance that there is a supreme spiritual power in the universe working for justice and peace and righteousness, however feeble and frail our own finite efforts may be.

Hear us in the name of our blessed Lord. Amen.

The Journal of the proceedings of Thursday, January 29, 1959, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Vice President had appointed the Senator from Utah [Mr. BENNETT] and the Senator from Vermont [Mr. AIKEN] as minority members on the part of the Senate of the Joint Committee on Atomic Energy, pursuant to title 42, United States Code, section 2251, to fill existing vacancies.

CLERK FOR NORTH ATLANTIC TREATY PARLIAMENTARIANS' CONFERENCE

The SPEAKER. The unfinished business is the further consideration of House Resolution 36, which the Clerk will report.

The Clerk read the resolution, as follows:

Resolved, That effective January 3, 1959, the Chairman of the House Delegation of the United States Group of the North Atlantic Treaty Parliamentarians' Conference is authorized, until otherwise provided by law, to employ a clerk to be paid from the contingent fund of the House of Representatives at a rate of basic compensation not to exceed $6,000 per annum.

The SPEAKER. The question is on the resolution.

Mr. GROSS. Mr. Speaker, on that I ask for a division.

The question was taken; and on a division there were—ayes 56, noes 8.

So the resolution was agreed to.

A motion to reconsider was laid on the table.

THE NATION'S ACTIVITIES AND ACCOMPLISHMENTS IN THE AERONAUTICS AND SPACE FIELDS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 71)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Science and Astronautics and ordered to be printed:

To the Congress of the United States:

Transmitted herewith, pursuant to section 206(b) of the National Aeronautics and Space Act of 1958, is the first annual report on the Nation's activities and accomplishments in the aeronautics and space fields. This first report covers the year 1958.

The report provides an impressive accumulation of evidence as to the scope and impetus of our aeronautical and space efforts. Equally impressive is the report's description of the variety of fields being explored through the ingenuity of American scientists, engineers, and technicians.

The report makes clear that the Nation has the knowledge, the skill, and the will to move ahead swiftly and surely in these rapidly developing areas of technology. Our national capability in this regard has been considerably enhanced by the creation and organization of the National Aeronautics and Space Administration.

The report sets forth a record of solid achievement in a most intricate and exacting enterprise. In this record the Nation can take great pride.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *February 2, 1959.*

CIVIL RIGHTS

Mr. POWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Speaker and colleagues, today the Civil Rights Commission started hearings in New York City, and the good people of Virginia have started desegregation. This, therefore, should be a day for sober reflection. Are we not witnessing increasing heroic honesty in the South and increasing cowardly hypocrisy in the North?

May I say that the Powell type of amendment is just as applicable to the denial of Federal funds in New York City because of segregation there as it is in any other area in defiance of the Supreme Court. Also, I concur with the president of Notre Dame, Father Hesburgh, a member of the Civil Rights Commission, that in the North some areas practice discrimination in housing more than many areas in the South. Legislation to remedy this has been introduced by me and the number of the bill is H.R. 1053. It will prohibit discrimination prior to construction and during the lifetime of publicly financed housing by putting guarantees in the application for FHA insured mortgages.

STATEHOOD FOR HAWAII

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, for 60 years Hawaii, the beauty of the Pacific, has been waiting for Congress to set the date for the ceremony that will join her with the United States. It has been a long "engagement," but the organ has started to play. As she comes up the aisle, radiant as a star, the hearts of all who live in freedom will go out to the lovely bride.

But wait a moment. The prospect that the Territory of Hawaii will be admitted to statehood is such a happy one that we fall in love with its possibilities.

To be more prosaic, we admire the courage and loyalty of that fateful day, December 7, 1941, when Hawaii took the first staggering blow in defense of freedom. We remember how her sons and daughters fought with supreme devotion to our common heritage until the final victory was won.

In fact, we have much to learn from Hawaii, with its school attendance that is far above the national average. More than 38 percent of the Territory's 2-year budget for 1955–57 was appropriated for public schools. There are 250 Christian churches on the island of Oahu alone. All faiths enjoy freedom of worship in the islands.

Hawaii has an alert and intelligent electorate, fully qualified for the responsibilities of representative government. More than 88 percent of the registered voters went to the polls in 1958. Hawaii's economy is strong and is developing rapidly. Its living standards are among the best. The Territory does a business of almost $2 billion a year. Hawaii has contributed more than $2⅓ billion in Federal taxes since becoming a Territory. Hawaii is no longer a second-class petitioner. It is we who are privileged to have Hawaii's human, and spiritual,