racy developed slowly in the West over several centuries as the people gradually won greater freedom for themselves and learned how to use it responsibly so that the freedom of their neighbors was not impaired. Today the non-self-governing areas cannot be told to wait 500 years for freedom to come to that area. The freedom-loving people will soon add their voices to the call for liberty. But we know, too, that democracy will probably require a discipline and a sense of responsibility that the sheep are not yet capable of providing.

After all, the representative assembly is one of the most important devices available in trying to improve the quality of representation as the people themselves improve in power and responsibility. They will gradually master the techniques of the democratic process. The assembly is the key to the process of self-government on the 2,000 scattered islands of Micronesia in the South Pacific, which we hold under a U.N. trusteeship. They have given the islanders a sense of unity that they have never experienced previously. The Micronesians are making a serious effort to develop self-government in their country.

The assembly is the key to the development of self-government in the Philippines. Since 1946 they have become self-governing but they are still learning to make the laws, and to make them by elected representatives of the people. Under the Japanese Peace Treaty the islands govern themselves under American guidance by a system of elected officials and the court for the Ponsense of the Carolines and the Bonin Islands to assume a significant degree of local self-government even though these islands were once held under the Japanese Peace Treaty and which will one day be returned to Japan.

In conclusion, I would like to stress once again what the delegates and the Interparliamentary Union could play a significant part in increasing the number of such assemblies. I hope this was a foretaste of the kind of assembly meeting that we have here this year.

And, Mr. President, permit me to take this opportunity to express my deep appreciation to the Congress for the warm hospitality of the House of Representatives, and all who exercise power all at once. As it becomes apparent that each new grant of power is used responsibly, the governing nation should increase the authority of the representative assembly and thus gradually bring the territory to self-determination by peaceful means.
CONGRESSIONAL RECORD - SENATE

February 19

just and rightful authority, that they may safeguard the ideals and free institutions which are our country's glory. O send Thy healing to John Foster Dulles, our Secretary of State, that he may continue to serve our country. In these critical and trying days of world tension, guide with Thy spirit our strife, violence, and war. May this land, under Thy providence, be an influence for good throughout the world, uniting all men everywhere in understanding and friendship, in freedom, and world peace. Amen.

February 17, 1959, was dispensed with.

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.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, notified the Senate that, pursuant to the provisions of Public Law 304, 76th Congress, as amended, the Speaker had appointed Mr. Coffin, of Maine, as a member of the Joint Economic Committee, on the part of the House. The message announced that the House had passed a bill (H.R. 4245) relating to the taxation of the income of life insurance companies, in which it requested the concurrence of the Senate.

U.S. ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

The Chief Clerk read the nomination of Franklin D. Murphy, of Kansas, to be a member of the U.S. Advisory Commission on Educational Exchange for a term of 3 years expiring January 27, 1963, and until his successor has been appointed and confirmed by the Senate. The President pro tempore, without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

COMMITTEE MEETING DURING SESSION OF THE SENATE

Mr. STENNIS. Mr. President, I ask unanimous consent that the Authorization Subcommittee of the Committee on Appropriations be permitted to sit this afternoon to conduct a hearing, even through the Senate may be in session at that time. The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to consider executive business. The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The President pro tempore 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 President pro tempore. If there be no reports of committees, the nominations on the calendar will be stated.

UNITED NATIONS

The Chief Clerk proceeded to read sundry nominations, to be alternate representatives of the United States of America to the 13th session of the General Assembly of the United Nations. Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc. The President pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

TRIBUTES TO SENATOR CARL HAYDEN

Mr. GOLDFATER. Mr. President, it becomes my very happy pleasure to invite the attention of my colleagues to the fact that the present occupant of the chair, my distinguished senior colleague from Arizona, Senator Carl Hayden, is beginning his 48th year of service in the Congress of the United States. I believe I am correct in stating this is a period of service longer than that attained by any other man who has served the country in this capacity.

Mr. President, Senator Hayden and I have been friends all of my life, and our families have been friends all of their lives. We have been on opposite sides of the political fence, but I do not mind saying publicly I have always held in my heart for him. I hold nothing against him for the times he has felt it necessary to oppose me because I happen to be a Republican, because I know that deep in his heart there is a feeling for me akin to the feeling I have always held in my heart for him.

Mr. President, we in Arizona recognize Carl Hayden to be one of Arizona's outstanding citizens. He was born at Hayden's Ferry, now called Tempe, the site of one of the largest and fastest growing universities in our State. He was born the same year that the West was educated in the schools of Arizona, and in Stanford University. At Stanford University, I will say, he played center on the first football team Stanford ever had—and some people in the West have suggested it was the last football team Stanford ever had. At one time during his illustrious career—I relate this because it is an interesting story—he was the sheriff of Maricopa County, which is our largest county. At one time he was an umpire in a baseball game in which the distinguished senior Senator from Massachusetts (Mr. SALTONSTALL) played as a par-
participant from one of the schools nearby. He served in the Army during World War I. He has always been interested in military affairs, particularly marksmanship and the use of the rifle.

Mr. President, we in Arizona are proud of this man, and it gives me a great deal of pleasure to stand on this floor today, as one of the two Senators from Arizona who, I will say, were born in the Territory of Arizona, and express to my colleagues and to my friend Carl Hayden personal admiration for him.

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

Mr. GOLDBLATT. I yield to the Senator from Montana.

The PRESIDENT pro tempore. The President will recognize the Senator from Rhode Island [Mr. PASTORE].

Mr. MANFIELD. Mr. President, the Senator yielded to me, and I ask unanimous consent that the Senate may be permitted to yield.

The PRESIDENT pro tempore. Is the unanimous consent of the Senate from Montana? The Chair hears none, and it is so ordered.

Mr. MANFIELD. Mr. President, I take this opportunity to associate myself with the Senator from Texas [Mr. JOHNSON], and all the Democrats on this side of the aisle with all the Republicans on the other side, in endorsing wholeheartedly the distinguished senior Senator from Arizona has said about Carl Hayden.

Carl Hayden is not simply a Senator from Arizona. Carl Hayden, in my opinion, is a Senator's Senator. He knows what makes the wheels of Government go. He is appreciative of the other fellow's point of view. He is understanding. He is cooperative. He is tolerant. This country is extremely fortunate in having a man of the caliber of Carl Hayden as President pro tempore of the Senate of the United States.

This man, who was a sheriff, a lawyer in territorial days, has had the unique honor and distinction of serving his State ever since it was admitted into the Union, as a Member of either the House of Representatives or of the Senate. Arizona is extremely fortunate, but the Nation and the free world are more fortunate.

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

Mr. GOLDBLATT. I yield to the Senator from Illinois.

The PRESIDENT pro tempore. The Chair will recognize, in morning business, the Senator from Rhode Island [Mr. CASE].

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

The Senator will state it.

Mr. CASE of South Dakota. Mr. President, would it be out of order, on an occasion such as this, for the Members of the Senate present to stand and to sing the first stanza of 'The Star-Spangled Banner.' (Applause, Senators rising.)

Mr. GOLDBLATT. Mr. President, a parliamentary inquiry.

The Senator from Montana ans pro tempore. The Senator will state it.

Mr. GOLDBLATT. Have I lost my right to the floor? I have some other matters to present, under the 3-minute limitation.

The PRESIDENT pro tempore. The Chair had assumed the Senator had exhausted his time.

Mr. DURKSEN. Mr. President, I ask unanimous consent that the Senator from Montana be permitted to finish the remarks in which he wished to pay their respects to the distinguished occupant of the chair.

The PRESIDENT pro tempore. Is the unanimous consent of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. GOLDBLATT. Mr. President, I yield to the distinguished Senator from Illinois.

Mr. DURKSEN. Mr. President, as well as I have known the distinguished occupant of the chair, and as long as I have served under his chairmanship, I did not know he was a law man from the Territory. I say to him now that, much as I have delighted in watching westerns on television, I shall watch them no longer. I shall not relish, knowing that they are symbolic of the great law man's part in the building of the great West.

I have served under many chairsmen in the 25 years. Never have I served under any chairman who was more gracious, more kindly, more sympathetic, and more equitable as he dealt with members of the body. This is the kind of man, the genial, kindly, and effective way in which he charted the direction of the great Committee on Appropriations. It has been a delight, indeed, to serve under his chairmanship.

As I recall, his State entered the Union in 1912, and he came to the House as its first Representative. Probably few persons in the history of the Republic will have served so long coterminously with the entire history of a State from the date it was admitted into the sisterhood of the Union.

I am happy to join in these felicitations.

Mr. MUNDT. Mr. President, will the Senator yield to me?

Mr. GOLDBLATT. I yield to the Senator from South Dakota.

Mr. MUNDT. Let me say to my good friend from Illinois that, first, I see two distinguished Senators on their feet, Mr. GREENING and Mr. BARTLETT, both of whom have served their State of Alaska from the time it was admitted into the Union. That period of time has been a little shorter than is the case with the distinguished Senator from Arizona, however.

I associate myself with the felicitous statements just made by my colleagues, and say that, as one who serves as ranking Republican member with the distinguished occupant of the chair, the distinguished senior Senator from Arizona, of the Committee on Appropriations, I have noted that much of our business is transacted with only two members of the subcommittee present at any one time. I yield to the distinguished Senator from Arizona and I must confine alone or hear witnesses alone because of the commitments of other subcommittee members.

I can testify therefore from personal experience to the fact that here is a man who has the interests of his country, of the world, and of the great State of Arizona constantly before him. Never has there been a whisper of partisanship in our committee. He has been an ideal chairman with whom to work.

We know Carl Hayden as a law man in the early days. He is still a law man in the committee room. He expedites business with the great capacity which a sheriff has for getting things done right. He has constantly been a leader not only in our subcommittee, but in the full Committee on Appropriations, of which he is the distinguished chairman.

It is always a real source of gratification to me, in speaking to audiences here and there, to refer to Carl Hayden, and the fact emphasized by my good friend from Illinois and other Senators, that for almost half a century he has been a Member of the U.S. Senate. For an even longer period than that, he has been a Member of the National Legislature. He has been a Member of either the House of Representatives or of the Senate representing the great State of Arizona since it became the last area to enter the Union until Alaska came along to join us in this Congress. That fact bears testimony to the youth of this Republic.

It is significant that a country which, for so long, had its membership limited to 48 States, and which enjoyed its greatest growth during that period of time, with a Senate with a Senator from each State, is a country which is the youngest of the world powers, but at the same time the oldest of the world powers still conducting its affairs under its original Constitution which set us up in business as a great and growing Nation.

Men like Carl Hayden are responsible for the fact that our young country has been not only so expansive, but so enduring.

Mr. HUMPHREY. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDBLATT. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Arizona for yielding to me in order that I may join my colleagues in parliamentary inquiry and tribute—and I hope a generous tribute—to the senior Senator from Arizona, the President pro tempore of the Senate and the present occupant of the chair.

Former President Truman once told me that if a man wanted a guide as to how to be a good United States Senator, all he needed to do was to study the life of Carl Hayden. That was perhaps one of the profound and reassuring statements ever made by any President.

The senior Senator from Arizona has been referred to as a law man. I do not know of anyone who has contributed more to the law of the Nation than has the senior Senator from Arizona. The
tremely grateful for his sympathetic interest in our cause, a sympathy expressed not merely by word but by deed.

Mr. BARTLETT. Mr. President, will the Senate yield to me?

Mr. GOLDWATER. I yield.

Mr. BARTLETT. As a Senator from the baby State of Alaska, I wish to join my colleagues in paying deserved tribute to the senior Senator from Arizona, which was the baby State until last month.

So long as this Nation has in high office men of the caliber, stature, and wisdom of CARL HAYDEN, all will be well.

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

Mr. GOLDWATER. I yield.

Mr. ROBERTSON. For many years my distinguished predecessor, Carter Glass, was chairman of the Senate Committee on Appropriations. He served in that capacity through his tenure as the present chairman, the distinguished senior Senator from Arizona.

Since 1947 the junior Senator from Virginia has been privileged to serve on the Appropriations Committee with the distinguished senior Senator from Arizona, and therefore can better appreciate what his predecessor meant when he said, "If the Constitution should ever permit Virginia to link to Rhode Island, the third one will be CARL HAYDEN."

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

Mr. GOLDWATER. I yield.

Mr. NEUBERGER. I believe it is fitting that we praise CARL HAYDEN with very few words, because he is a man who attains his own accomplishments in very few words.

I invite the attention of my colleagues to one very salient fact regarding CARL HAYDEN. Whenever any issue affecting the State of Oregon is before the Appropriations Committee with which I was associated, the distinguished senior Senator from Arizona.

Mr. CARL HAYDEN has always had a paternal solicitude for younger Members of the Senate as they come to this great body. That concern typifies the great heart and mind of this distinguished man in service to the people of his country through his tenure of office men of the caliber, stature, and qualities of his leadership which is manifested in his many activities in the Senate.

Senator HAYDEN has not only a great Democrat; he is a great American. Even more important, he is a patriot, and a friend to man.

Mr. PASTORE. Mr. President, will the Senate yield to me?

Mr. GOLDWATER. I yield to the Senator from Rhode Island.

Mr. PASTORE. I should like to join my colleagues in deserved tribute to the senior Senator from Arizona.

I had been a Member of the Senate for only a very short time when I overheard a very distinguished Republican say one day, "If I were troubled by any legislatively motivated problem, I would consult, and that is CARL HAYDEN, of Arizona."

I think that precisely and publicly expressed the appreciation and regard which Members of this august body have for our distinguished colleague from the great State of Arizona.

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sort from the now-unprotected destroyer pier area; and
Since that loss is in effect sustained by the taxpayers and is the result of inadequate protection to the berthing piers in Coddington Cove the principal berthing area for ships in the Atlantic Fleet: Now, therefore, be it
Resolved, That the members of the general assembly of the U.S. Congress, to give prompt consideration to the construction of a breakwater across the northern approaches to the harbor, and, in providing for a harbor in Narragansett Bay, R.I., and to effect an economy in a time of heavy military expenditures, respectfully requesting the Secretary of the Navy to provide federal aid to Rhode Island in the Congress of the United States to make every effort to expedite the construction of this breakwater; directing the secretary of state to transmit to the senators and representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution.

Whereas the people of the United States; and
Whereas the islands of Hawaii were an extension of the United States; and
Whereas as long ago as 1851 the islanders were citizens of the United States; and
Whereas the people of Hawaii are citizens of the United States; and
Whereas the United States is operated by the Federal Communications Commission to make every effort to the extension of Hawaii to the United States for the benefit of the United States; and
Whereas the Federal Communications Commission did summarily dismiss, without formal hearing, the cases making proceedings relating to "repeater" or "booster" stations operating in the very high frequency television band of frequency assignments; and
Whereas the Federal Communications Commission did on December 31, 1958, make formal offers of conversion of many of the boosted stations to frequencies which urged the Federal Communications Commission to take such remedial action as deemed necessary to preclude the closing of very high frequency booster stations necessary for television reception in areas of the State of Montana.

The Federal Communications Commission has been briefed on the political situation in Korea. The Committee on Foreign Relations has been briefed on the political situation in Korea. The Committee on Foreign Relations has been briefed on the political situation in Korea. The Committee on Foreign Relations has been briefed on the political situation in Korea. The Committee on Foreign Relations has been briefed on the political situation in Korea.
I have received two letters from one of my constituents who is now teaching at a university in the city of Taegu, Korea. He is a graduate student of my policy which I have written about and presents a description of the situation which checks pretty well with other information which I have received. I urge that other Senators read these letters, and suggest that each Senator of State examine the policy proposals contained in them.

Mr. President, I ask unanimous consent that the letters to which I have referred be printed in the Record.

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

SAN FRANCISCO, CALIF., January 31, 1959.

HON. THEODORE F. GREEN, U.S. Senate, Washington, D.C.

Dear Senator:

I am entitled to a hearing. Following graduation from Yale in 1953, I spent 2 years in the Army and then entered the Foreign Service. I have no interest in the prosperity of the United States, but I have many longstanding acquaintances in the top political figures in Korea, but I have not claimed to be closely associated with the Government officials, and it is not the purpose of my letter to criticize any of the individuals who are implementing our policies. I have no interest in the prosperity of any Korean political party or group. My views are my own. I do not speak for the Assembly.

The situation in Korea has become increasingly more tense since the last general election in May 1958 due to the efforts of the people in power, the Liberal Party, to enact legislation which will guarantee their continued control of the Government and to put into effect security measures which will prevent the mobilization of public opinion against them. There is a growing awareness of democratic principles and an increased desire to put these principles into action. In the long term the administration, apparently realizing that drastic measures would now be needed, has been able to put into effect an attempt to narrow the area of maneuver for those in opposition. In the legislative field the two most important bills have been those to amend the security law and the local autonomy law. The effect of the first is to replace the four-year term of the central government's tax-exempt bond program for penalties against those who say or write things critical of the Government. The effect of the second is to place the local government in the control of the Central Government of local officials from the level of mayor down to the police chief. This has reduced the administrative level just above that of the village. Provincial governors and vice governors have also been affected.

The appointment system replaces that of popular election. Most of the mayors of the large towns are now exercises of the Government and the Government is expected to replace about two-thirds of these before the presidential election in 1960. The opposition parties will be further weakened by the cancellation of the many local campaigns which would have been held before the presidential election deprived them of the opportunity to keep issues before the Government and to criticize the policies of the Government. The long range effect on the development of the understanding and practice of self-government among the bulk of the people will be negligible.

Ambassador Dowling and his staff have not been allowed to discuss the situation with the Government. The people dare to visit him at his home unless intimidated. Resort to coercion on the part of the Liberal Party was able to prevent their membership in the Assembly from about two-third of the opposition candidates, but he is under police "house arrest," given a 5-year sentence. The prosecution appealed and, at the conclusion of the second trial of October 1958, Mr. Cho was sentenced to death.

In the National Assembly election of 1958 the opposition Democratic Party raised its strength in the Assembly from about 50 to 80. In a liberal democracy the Liberal Party's majority was cut to less than two-thirds of the 233 members. Had there been no bills to destroy the ministry, as it has been properly observed, it is quite conceivable that a Democratic Party majority would have been elected. In actual fact, there were not as many people as there should have been. In some instances these occurred in the cities and came to the attention of the newspapers. In a few of the cases where irregularities such as the theft of ballots were noted by U.N. observers the result was declared invalid. The second legislative session of the Assembly, however, and the Government control of the rural areas is very strong. Opposition newspapers are not allowed to circulate, and the government has controlled the Liberal Party lacks the funds for extensive campaigning outside the metropolitan areas. In addition, rallies may be forbidden by the police. In the Assembly, opposition supporters, as well as opposition candidates, intimidated without these things becoming known to the press or the general public.

In spite of this lack of integrity in the election procedures it became obvious that there is a definite and continuing trend toward the opposition due to growing dissatisfaction with the Government. Until last summer there seemed to be grounds for hope that the Government could continue its unhealthy situation. None of the competing political parties were indifferent to the Communist menace. Resentment to the fact that the Government never seemed to get anywhere...
the men who did the job were not author- ized members of the Assembly security group.

For the past several months there has been a ban on all public gatherings in the city of Seoul. Since the 24th of December this ban has been extended to other cities and towns in order that the Democratic Party may hold its policy meeting without complaints against the security law and calling for its repeal. The Government has taken the view that the Assembly itself is illegal. Law requires that any group planning a rally must notify the police of the time and place. The police, according to that requirement with the result that at the specified time in various cities throughout the country huge areas are cordoned off by the police, traffic is stopped, passers-by are not only prevented from crossing rope lines, but asked to show their identification, and the downtown areas are filled with police and detectives in the now infamous leather jackets. I have observed these things both in Taegu and in Seoul. In Seoul recently the tax in which I was riding was stopped and turned around, a turn toward the downtown area. As Americans we are not greatly inconvenienced as it is to us, but the Koreans are. I have noticed that the little as possible which might occasion unfavorable comment by the foreign community. The Koreans have been considerably intimidated in recent weeks and have increased for the Government's increased accuracy.

There is a general realization that the bills are for the purpose of protecting the liberal party monopoly on government and the profits from U.S. aid. (I have heard it said here that if you can stay in the Cabinet for 6 months you can retire for life.) There is no danger of mob violence which might be held at the present time. To the masses the security bill is an abstract proposition and is not important emotionally. The Democratic Party is definitely anti-Communist. Vice President Choe Si-jin and some of the others are agreed that its leaders are more conserva- tive in their thinking than the Liberals. The Government is in agreement with the Democratic Party to the extent that there was any Communist influence in the Democratic Party, but recently the police have instructed that the tactics of the party in the present circumstances are like those of the Communists in order to justify measures which may be taken against them.

Rumor has it that the security bill was passed on the order of Syngman Rhee who directed that this be done prior to his return from a Christmas vacation at Chinhae. I do not know whether this is true, but re- cently I was able to see a group of Demo- cratic Party delegates who wished to consult with me about the situation with him and a few days ago he refused the request of the Vice President for a meeting with him. He told the group that he would see no one who is opposed to the security law. Rhee has thus far been regarded almost as above criticism. Mistakes are like those of the Communists in order to be sure that they have money and connections can do so while those who are really needed to help support their families are usually too poor to pay the necessary bribe. Morale in the middle and small enterprises is lower than ever before. Some twice a week and state price increases in the present circumstances. They feel that the officials are like those of the Communists in order to be sure that they have money and connections can do so while those who are really needed to help support their families are usually too poor to pay the necessary bribe. Morale in the middle and small enterprises is lower than ever before. Some twice a week and state price increases in the present circumstances. They feel that the officials are like those of the Communists in order to be sure that they have money and connections can do so while those who are really needed to help support their families are usually too poor to pay the necessary bribe. Morale in the middle and small enterprises is lower than ever before.

The pressure building up against the security bill because he has too much power and is enraged by it, however, and it is interest- ing to the people. Liberal Party people are envious privileges which may not be readily apparent to foreigners, but which are subs- tantial enough. They may obtain bank loans, for example, regardless of the inadequacy of their security while others are completely stopped, but seemingly at the rank of captain. Syngman Rhee has thus far been re- served about the bill. The President who has been widely for nothing. Every year many of these graduates become part of the disenchanted group of speculative thinkers who believe it is useless to think of progress for the future and who are enraged that things continue as at present we may be caught in a very dangerous and embarrassing situation.

Over the past few years popular dissatisfaction with the Government has steadily increased because of chronic economic difficulties of the country, but additionally to the fact that the Govern- ment officials are robbing the people and the poor are not satisfied with their positions. This has in part been due to the fact that those who oppose the security law and those who do not are not satisfied with the people if there appears to be a real chance of unification through D.N.R. and South Korea. Rhee has thus far been reserved about the bill. The President who has been widely for nothing. Every year many of these graduates become part of the disenchanted group of speculative thinkers who believe it is useless to think of progress for the future and who are enraged that things continue as at present we may be caught in a very dangerous and embarrassing situation.

The Government has never suggested previ- ously that there was any communist infiu- ence in the Democratic Party, but recently this has been made public.

The common man is not prepared to fight against the Government, for, by not interfering in one way or another, we are identified with it by our economic and military aid. I feel there are barefly 12 or so during the Communist occu- pation of Korea. The Government has thus far been reserved about the bill. The President who has been widely for nothing. Every year many of these graduates become part of the disenchanted group of speculative thinkers who believe it is useless to think of progress for the future and who are enraged that things continue as at present we may be caught in a very dangerous and embarrassing situation.
other dangers as well. At present the Vice President is a member of the opposition party; pressure from the mainstream Democrats has been made on his life. Should Rhee die before the 1960 election something will have to be done about Vice President Chun. It would be somewhat embarrassing should the nominal head of the United States be killed. If the President be arrested or killed popular feeling would be far higher than over a comparatively minor incident.

It is for this reason that I believe the time is at hand when they felt he belonged. At present the Vice President is a member of the opposition party; pressure from the mainstream Democrats has been made on his life. Should Rhee die before the 1960 election something will have to be done about Vice President Chun. It would be somewhat embarrassing should the nominal head of the United States be killed. If the President be arrested or killed popular feeling would be far higher than over a comparatively minor incident.

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N.Y., relating to brotherhood and brotherhood week.

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

RESOLUTION ON BROTHERHOOD AND BROTHERHOOD WEEK

The Suffolk County Post No. 488, Jewish War Veterans of the U.S.A., affiliated with the national, department, and district commanders of the organization; and

"Whereas one of the basic principles of the Judeo-faith espouses and defines brotherhood - the unity of life; and

"Whereas the recent anti-religious acts in various parts of our country against houses of worship and the desecration of cemeteries have taken place; and

"Whereas the comrades of the post who served in World Wars I and II and the Korean conflict desire to renew their faiths and duties to all their fellow men; therefore, be it

Resolved, That the Suffolk County Post No. 488, Jewish War Veterans of the U.S.A., affiliated with the national, department, and district commanders of the organization, in our country, call upon our Government to emphasize and proclaim brotherhood, the slogan: "Let us all live in harmony and peace," in all corners and areas of our country; and be it

Resolved, That this resolution be sent to Senators Davis and Keating, Congressmen Walworth, Governor Rockefeller, Supervisor Johnson of township of Huntington, National Commander Shalokof of Jewish War Veterans, Department Commander Tannenbaum of Jewish War Veterans, and District Council Commander as a means of proclaiming brotherhood - the unity of life."
increase the income of farmers, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. NEUBERGER (for himself, Mr. BARTLETT, Mr. GUEWENI, Mr. MOORE, Mr. MURRAY, Mr. MANSFIELD, Mr. HUNTINGTON, Mr. REESE, Mr. SPARKMAN, Mr. ENGLE, Mr. BIBLE, Mr. HOLLAND, Mr. KENNEDY, Mr. CHURCH, Mr. MOSS, and Mr. CONRAD) :
S. 1125. A bill to authorize the appropriation of funds for the construction, reconstruction, or improvement of the Ashville Highway; to the Committee on Public Works.

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

By Mr. CASE of South Dakota:
S. 1126. A bill to amend section 502 of the General Bridge Act of 1946, and for other purposes, to the Committee on Public Works.

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

By Mr. KEATING:
S. 1127. A bill to prohibit the importation into the United States of polluted shellfish; to the Committee on Finance.

S. 1128. A bill for the relief of Juri Ant Nimityowycz; to the Committee on Judiciary.

By Mr. SANTORO:
S. 1129. A bill to improve the enforcement of laws pertaining to gambling by suppressing the transmission of certain gambling information; and
S. 1130. A bill to amend section 1 of the Act providing for the transportation of gambling devices in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

S. 1131. A bill to prohibit certain acts and transactions with respect to gambling materials; and
S. 1132. A bill to punish the use of interstate commerce in furtherance of conspiracies to commit organized crime offenses against any of the several States; to the Committee on the Judiciary.

(See the remarks of Mr. Keating when he introduced the above bills, which appear under separate headings.)

By Mr. KENNEDY :
S. 1133. A bill to prohibit taxation of persons and corporations which had less than $500 less than one dollar; to the Committee on Public Works.

S. 1134. A bill to provide for the registration of corporations engaged in the distribution of fresh water; to the Committee on Interstate and Foreign Commerce.

S. 1135. A bill to provide readjustment and improvement of Fresh Water Bayou, La.; to the Committee on the Judiciary.

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

By Mr. CARLSON (for himself, Mr. MOSES, Mr. MAGNUSON, Mr. NIEVESEN, Mr. CURRIS, Mr. CASE of South Dakota, and Mr. JACKSON) :
S. 1136. A bill to make Northern States a member of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

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

By Mr. MARTIN:
S. 1137. A bill for the relief of John G. Sarris; to the Committee on the Judiciary.

By Mr. BUTLER:
S. 1138. A bill to provide for the appointment of a district judge for the district of Maryland; to the Committee on Judicaries.

By Mr. KEATING
S. 1140. A bill to provide additional new districts for the district of Columbia; to the Committee on the Judiciary.

By Mr. CARROLL:
S. 1144. A bill to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo.; to the Committee on Interior and Insular Affairs.

By Mr. MCCARTHY:
S. 1145. A bill to allow small business corporations which had less than 60 days after the enactment of the United States Internal Revenue Code of 1939 to make election under section 1872 of the same Code; to the Committee on Finance.

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

By Mr. LONG (for himself and Mr. CANNON) :
S. 1146. A bill to provide for transfer of certain lands adjacent to the United States Capitol; to the Committee on Agriculture and Forestry.

By Mr. BARTLETT:
S. 1147. A bill to provide for minimum standards guaranteeing basic rights of labor—union members and insure ethical practices in the conduct of union affairs; to require disclosure by which union members and the public are entitled; to create fiduciary duties and obligations with respect to the management of union funds; to provide for the accounting, reporting of funds by officials of labor unions; to prevent abuses in the administration of union finances; to provide interference with the right to organize and bargain collectively; to prevent loss of Government revenue through evasion; to the Committee on Labor and Public Welfare.

By Mr. CARLSON (for himself and Mr. MCCARTHY) :
S. 1148. A bill to provide for transfer of lands adjacent to the United States Capitol; to the Committee on Agriculture and Forestry.

By Mr. KEATING:
S. 1149. A bill to provide for the prohibition of the sale, construction, or use of model cars, trucks, or other devices in the District of Columbia; to the Committee on the Judiciary.

FREE NATION MISSION TO INDIA

Mr. KENNEDY (for himself and Mr. COOPER) submitted a concurrent resolution (S. Con. Res. 11) relating to a free nation mission to India, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Kennedy, which appears under a separate heading.)

REUNIFICATION OF GERMANY

Mr. DODD. Mr. President, our Government is presently involved in important negotiations aimed at bringing about a Foreign Ministers Conference for the purpose of resolving grave questions related to German reunification.

These problems are of vital concern to all of us, and of special interest to me. As a member of the United States staff at the Nuremburg war crimes trial, I went to Germany immediately after the German surrender in 1945. I remained there for a year and a half, during the establishment of the Allied Power rule of Germany and of Berlin.

This experience left me with a deep interest in the German question, an interest which was strengthened by return visits there, and by my work during two terms on the House Committee on Foreign Affairs.

During the past 6 years, I have had some differences with the administration over the conduct of foreign policy. But statements on the Berlin issue by the President and the Secretary of State have, in my judgment, proclaimed a policy which is sound, enlightened, and morally right.

I believe this firm, realistic policy has the overwhelming support of the American people.

However, recent statements by some disturbed racial and repudiated Americans have created a wrong impression in some quarters that America is divided on this question.

Such a wrong impression may discourage our allies and give encouragement to Communist hopes of wearing down free world resolve to the point of...
accepting a German settlement that would lead to free world disaster.

It is altogether proper that divergent attitudes be discussed and debated. But I believe further that the free world and the Communist world realize that, with respect to the fundamental principles of our German policy, there is no basic disagreement between the administration on the one hand and the Congress and the American people on the other.

Therefore, in behalf of myself and of the distinguished senior Senator from New York, Mr. Javits, I submit a resolution which expresses six basic principles on which there is preponderant agreement and from which there can be no retreat.

I regret that due to an important committee meeting this afternoon, I shall not be able to speak on this resolution today. I will do so at the earliest opportunity.

In the meantime, I believe the language of the resolution speaks for itself. I think it expresses the position of the United States Senate and of the American people.

I submit the resolution for appropriate action by the Senate and expect unanimous consent that it be printed at this point in the body of the Record.

The resolution (S. Res. 82), submitted by Mr. Doocy, for himself and Mr. Javits, was received, and referred to the Committee on Foreign Relations, as follows:

Whereas a divided Germany threatens the peace, stability and security of the world; and

Whereas the United States, as the leader of the free world, must provide strong and steady leadership to establish stability and reduce the dangers to world peace and security inherent in a divided Germany; and

Whereas the American people are united in their determination to honor our national commitments and fulfill our responsibilities for free world defense against Communist aggression; Now, therefore, be it resolved, That it is the sense of the Senate:

1. No plan or treaty calling for German reunification or acceptance which does not provide for a free government, ultimately freely selected by the people of West and East Germany.

2. Until an acceptable settlement of the German reunification problem is achieved, the continued presence of Western troops in West Berlin, which has proved agreeable to a free West Germany within the Western Community than by a superficially reunified Germany afflicted with a Communist East Germany.

3. No plan of German reunification or confederation is acceptable which would join a free democratic West Germany with a slave Communist East Germany, except through the free choice of the peoples of West Germany and East Germany.

4. Whoever may be in nominal control of East Germany, the United States should encourage its leaders to discuss settlement with West Berlin, in concert with its allies, by whatever means necessary.

5. Recognition can only be accorded to an East German government which is truly independent and truly representative of the wishes of the people of East Germany.

The resolution will be stated by title for the information of the Senate.

The President pro tempore of the Senate, S. J. W. Byrnes, Jr., presiding.

The resolution was ordered to be printed in the Record.

Now, therefore, be it resolved, That there be printed in the Record:


Mr. JAVITS. I ask unanimous consent to have this table printed at this point in the Record.

The President pro tempore of the Senate asked for the.AlertDialog

There being no objection, the resolution (S. Res. 83) was considered and agreed to, as follows:

Resolved, That there be printed in the Record:

S. Res. 83, entitled "A Review of U.S. Government Operations in Latin America," submitted by Senator Javits, to the Senate Committee on Appropriations on February 2, 1959; and there be printed a copy of all reports printed for the use of that committee.

Mr. JAVITS. Mr. President, on behalf of myself and Mr. Karzke, submit a resolution (S. Res. 84), relating to the death of Representative Daniel A. Reed, of New York, which was considered and agreed to.

(see the above resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

Mr. JAVITS. I submit a resolution (S. Res. 85), to express the sense of the Senate relative to U.S. policy in Germany, which was referred to the Committee on Foreign Relations.

(see the above resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

ONE-YEAR PERIOD DURING WHICH VETERANS MAY BE GRANTED NATIONAL SERVICE LIFE INSURANCE

Mr. LONG. Mr. President, on behalf of myself and 55 other Senators, I introduce for appropriate reference a bill to provide for a 1-year period during which certain veterans may be granted national service life insurance. This is a bill which would benefit a great number of veterans of the Second World War and the Korean war. It would give them another opportunity to provide for the security of their families at no cost whatever to the Federal Government.

At the time when veterans of the Second World War and the Korean war were separated from the armed services, they had an opportunity to either keep their national service life insurance or cancel it. Many who chose to withdraw from the program, due to financial difficulties or because of lack of family responsibilities, later regretted their decision.

The bill that I am introducing today is designed to give these veterans a second chance to take out this insurance. It would make it possible for every World War II and Korean war veteran who was once eligible for national service life insurance to take out again the full amount of the insurance, provided application is made within a period of 1 year.

There will be no cost involved in this program except the nominal cost of administering the policies of the increased number of policyholders, and this cost will be met by the policyholders themselves. Thus, there will be no cost whatsoever to the Federal Government.

This bill does not make any persons eligible for the insurance who were not at one time eligible; it merely provides another limited period of eligibility for those who originally qualified and passed up the opportunity or who have permitted their policies to lapse.

I have prepared a brief table which compares the annual premium costs of national service life insurance with the premium costs of four of our leading commercial life insurance companies. These four companies have been picked at random, and their rates are typical of the industry as a whole.

I ask unanimous consent to have this table printed at this point in the Record.

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

Comparison of national service life insurance and commercial insurance—Annual net costs (premiums less dividends)

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5-year term $1,000 insurance

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Average: $23.60

Ordinary life, $1,000 insurance

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Average: $23.60

Ordinary life, $1,000 insurance

Nonparticipating, no dividends paid.

Mr. LONG. Mr. President, from this chart it can be seen that the average annual premium charge of these four companies for a five-year $1,000 term insurance policy would be $66.40. For this same policy purchased by a veteran under the provisions of this bill, the annual cost would be $12, plus the administrative cost, which has been estimated at $4 per policy.

The savings are not great for an ordinary life insurance policy. For a
veteran aged 35 to take out a $10,000 ordinary life policy, the average premium charged by the commercial insurance companies would be $194.60, compared to a cost of $145.90 for National Life Insurance. The savings in almost every case were $38.70, and sometimes over 70 percent. To benefit our veterans to this extent would not cost the Federal Government one additional penny.

Since I first introduced this bill in the 84th Congress, every major veterans organization, as well as hundreds of veterans’ posts, have written and expressed strong support for the measure. The American Legion, the Veterans of Foreign Wars, and the AMVETS have all adopted resolutions at their national conventions urging the adoption of this proposed legislation or similar legislation.

In 1956 an almost identical bill was passed by the Senate as a part of the Military Survivors Benefits bill of that year. At that time, however, the joint House-Senate conference committee reduced its application to the very small group who permitted their insurance to lapse during the last two months of the term of the policy. The Senate, at the time, agreed to a similar bill was included in H.R. 11382, and again passed by the Senate. However, the House-Senate conference committee eliminated it entirely.

It is my hope that the Senate will once again give it a fair and honest chance to act favorably upon this measure.

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

The bill (S. 1113) to amend title 38 of the United States Code to provide for a 1-year period during which certain veterans may be granted national service life insurance, introduced by Mr. Long (for himself, and Senators Bartlett, Beall, Bible, Bush, Butler, Byrd of West Virginia, Cannon, Carlson, Carroll, Chavez, Church, Clark, Cooper, Douglas, Engle, Ervin, Folkright, Gordon, Humphrey, Hatfield, Jackson, Javits, Jordan, Johnston of South Carolina, Keating, Kefauver, Kennedy, Kuchel, Langer, Magnuson, Mansfield, Martin, Muskie, McClellan, McGee, McNamara, Morse, Moss, Musgrave, Murray, Neuberger, O'Mahoney, Pastore, Proxmire, Prouty, Randolph, Smathers, Smith, Sparkman, Symington, Thurmond, Williams of New Jersey, York, and Young of North Dakota), was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENTS OF FAIR LABOR STANDARDS ACT OF 1938

Mr. GOLDWATER. Mr. President, I introduce for consideration the reference a bill to amend the Fair Labor Standards Act of 1938, as amended, to provide for a review by the Secretary of Labor of the minimum wage recommendations of industry committees, introduced by Mr. Goldwater, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

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

The bill (S. 1116) to amend the Fair Labor Standards Act of 1938, as amended, to provide for review by the Secretary of Labor of the minimum wage recommendations of industry committees, introduced by Mr. Goldwater, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

Mr. President, I ask unanimous consent that the text of the bill be printed at this point.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point.

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

The bill (S. 1114) to regulate the granting of free or reduced-rate transportation to certain government officials and employees, introduced by Mr. Williams of Delaware, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce 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 no common carrier by water engaged in foreign commerce and in commerce between the United States and its Territories and possessions, introduced by Mr. Williams of Delaware, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce 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 no common carrier by water engaged in foreign commerce and in commerce between the United States and its Territories and possessions, introduced by Mr. Williams of Delaware, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed in the Record, as follows:

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no common carrier by water engaged in foreign commerce and in commerce between the United States and its Territories and possessions, introduced by Mr. Williams of Delaware, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed in the Record, as follows:

Section 2. Subsection (e) of section 5 of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no common carrier by water engaged in foreign commerce and in commerce between the United States and its Territories and possessions, introduced by Mr. Williams of Delaware, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce 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 no common carrier by water engaged in foreign commerce and in commerce between the United States and its Territories and possessions, introduced by Mr. Williams of Delaware, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representative...
The 1956 amendments to the act abolished these safeguards. They required the Secretary to provide by order that the industry committee, or any action under the President when he was directed to refer the matter back to the industry committee which made them, or to another Industry committee for such industry for further consideration and recommendation, to the court, in which event the Secretary would be required to consider the same factors as are required to be considered by the Industry committee, will not carry out the judgments of the court in such case, and the Secretary shall file with the court a transcript of the record of such proceeding, unless he finds that the recommendations made by the industry committee provisions of the act were made, as recommended by the Department, to provide for biennial rather than annual review of Industry committee recommendations.

The present Industry committee provisions of the act run counter to good principles of Government administration. They place the burden of proving minimum wage rates in temporarily constituted bodies consisting in major part of interested private parties representing employers and employees with no provision for check or review of their actions by any responsible official of the executive branch.

If the industry committee's actions are contrary to the statutory standards or cause hardship, aggrieved persons have no official to whom they can complain and from whom they can obtain a remedy. Their only recourse is through appeal to the courts, in which event the Secretary would be required to file the committee's recommendations by the Secretary on review which would require his disapproval of such recommendations under the provisions of section 8(d).

The constitutionality of the present Puerto Rican provisions has already been attacked in the courts and may well be raised in future litigation. Defenses against these attacks will present major problems for the Department of Labor, as the view of the Supreme Court decisions which, it has been urged, show that the present Puerto Rican provisions authorize the delegation of a legislative power to private persons.

Since, under the proposed amendments, the Secretary will review the Industry committee's recommendations and, at the time of judicial review, the committee may no longer exist, it will also be necessary to amend the judicial review provisions of the Act to require that the Secretary, rather than the court, with the exceptions set forth in the court the new or modified findings in connection with a second hearing. It is also desirable that the court have the benefit of the same review of the second recommendation as of the first.

FIVE-YEAR PROGRAM OF GRANTS AND SCHOLARSHIPS FOR COLLEGIATE EDUCATION IN THE FIELD OF NURSING

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to expand the opportunities for young people in this country to become professional nurses. This bill proposes a 5-year program of grants and scholarships to aid the collegiate schools of nursing. I take great pleasure in introducing this proposal at this particular time. This year marks the 50th anniversary of the founding of the first collegiate school of nursing of the University of Minnesota.

This excellent school has provided a high quality of professional training which has attracted students from all over the country and from foreign lands as well. A pioneer in the education of nurses, this University has made a valuable contribution to the health and well-being of the citizens of this country.

Our collegiate programs are especially designed to equip our nurses with broad educational training and solid grounding in the sciences. This is essential if they
are to effectively carry out today's complex nursing functions and assume responsibility for directing the increasing number of auxiliary personnel.

There is today a critical shortage of professional nurses. The greatest need is for highly skilled people who can apply scientific principles and make the discriminating judgments which enable a panel of modern nursing practice in hospitals, industries, homes, schools, in the military services, and in our technical assistance programs in foreign lands. University education is an essential background for such practice.

A conservative estimate by the National League for Nursing states that at least 30 percent of our nursing personnel should be educated in colleges or universities. At present only about 8.5 percent of our nurses hold college degrees. In the face of increasing demands for health services, we are losing ground. The percentage of university-educated nurses has increased only three-tenths of 1 percent since 1953.

Another grave reason for the increasing demands for health services—the unprecedented growth in population, the advance in medical science made possible by our support of medical research, the increased use of antibiotics and medical insurance, the better education and higher standard of living of our population, and the expansion of health facilities.

We build more and more hospitals; we establish more and more clinics, public health services and industrial health services; we develop programs for the care of the sick at home. We try to keep up with the medical advances of this century. But we have not been able to extend the fruits of our medical advances to aid those in other countries who are less fortunate than ourselves, and yet we do not adequately provide for the education of the professional nurses we must have to make all of these programs serve the people. This country has never paid serious attention to the field of advanced nursing education. We have cried for scholarships for college and university programs have been increasing slightly, but not nearly at the rate we need, so that we can attract the high caliber of young people which workers would otherwise have received as a part of their basic hourly wage rate but, in addition, these funds now must cover a part of the hourly wage costs in the construction industry.

In the plumbing and pipe-fitting branches of the construction industry, there are existing and 36 of 100 cities surveyed by the U.S. Department of Labor. Payments to these funds run as high as 46 cents per straight-time hour or as high as 12 percent of the basic hourly wage. Other crafts in other cities have negotiated even higher payments.

These payments cannot be ignored or discouraged, because they exist to benefit
workers for whom they are made. Yet they are ignored and discouraged. In fact they are completely overlooked in the present administration of the Davis-Bacon Act. Day after day labor costs give them a successful bidding advantage on Government work.

This type of unfair wage competition was the very reason for the enactment of the Davis-Bacon Act in the first place. It is the purpose of these amendments to upgrade the act so that it will once more carry out its original purpose.

Third, overtime and premium pay: Going hand in hand with "fringe" benefits are overtime and premium pay provisions now prevailing in most labor market areas across the country. These payments, and, in fact, all overtime work and for work on Saturdays, Sundays, and holidays. These practices provide still another aggravating factor which the Labor Department has ignored in determining the prevailing wage rate under the Davis-Bacon Act.

Fourth, coverage: Today, and for more than 25 years, the Davis-Bacon Act has only covered direct construction contracts. This has led to the establishment of the Federal Airport Act—grants to local agencies of one type or another and it has become increasingly necessary to cover these types of construction expenditures on a fair and permanent basis in order to make the Davis-Bacon Act once more fully operative in accordance with its original purpose.

To remedy these many defects, the bill I am introducing has four major objectives. They are:

First. To broaden the coverage of the present act by adding to the present coverage a minimum wage of $2.00 per hour, with an additional percentage of $25,000 in value, at least one-third of which is financed by Federal funds, loans, payments, grants, or contributions, and (b) all Federally insured banks to include all or part of their bank reserves.

Second. The term "prevailing wage" is modified. The Secretary of Labor would be required to predetermine and Government contractors would be required to pay not only the prevailing hourly rate as presently specified in the Davis-Bacon Act but also prevailing construction contractor payments to (a) health and welfare funds; (b) retirement funds; (c) vacation funds; and (d) apprenticeship funds.

Third. Hours of work and overtime put on a prevailing basis. Under this particular provision of the amendments the Secretary of Labor would be required to predetermine and contractors would be required to pay the prevailing overtime rate for each construction craft on a daily and weekly basis, including prevailing overtime practice on Saturdays, Sundays, and holidays.

In addition, as a minimum requirement contractors would be required to pay no less than time and one-half for hours worked over 8 per day, over 40 hours per week, on Saturdays, Sundays, and holidays. These practices provide still another aggravating factor which the Labor Department has ignored in determining the prevailing wage rate under the Davis-Bacon Act.

Fourth, enforcement centralized and Construction Appeals Board created: Under this particular amendment, the creation of a Government contractor payments to (a) health and welfare funds; (b) retirement funds; (c) vacation funds; and (d) apprenticeship funds.

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cash or on deposit with reserve city or central reserve city banks.

The reports of the two Banking and Currency Committees at the time of the enactment of the Federal Reserve Act expressed great dissatisfaction with this pyramidal system and attributed to it a major part of the blame for the repeated financial crises suffered by the country.

Under the Federal Reserve Act, member banks were required after a period of transition to keep all of their reserves in the Federal Reserve banks in their districts. This meant the establishment of Federal Reserve districts, the creation of Federal Reserve banks, and the appointment of Federal Reserve boards.

During my decade of service in this U.S. Senate, Mr. President, one of my most challenging interests has been in the opportunity for seeing an enduring national policy and program established for the preservation of some of these great areas of wilderness for human use.

NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. HUMPHREY. Mr. President, in the midst of our concern with the development of a civilization that will meet our material wants for food and fiber, for shelter and defense, we must remember that we have very real and deep-seated needs for more than the materials of living. We require likewise for happy human lives the inspiration of the spiritual and the esthetic, the benefits of healthful environment, the relaxation that comes with recreation.

We satisfy these requirements not only in our urban temples, churches, museums, galleries, libraries, theaters, playgrounds, and parks but also in the woods and open fields, along our streams, and in the wild lands of our parks and forests. We cherish the great outdoors, especially the still unspoiled stretches of our primeval lands and waters, and we rightfully think of their careful administration.

As our civilization advances, with its great industrial developments, its quick transportation, its multiplicity of conveniences, we are glad that the culture which includes this great mechanical, urbanization includes also a regard for the preservation of some areas of our land still wild and natural, unspoiled as primeval wilderness.

A CHALLENGING OPPORTUNITY

On June 1, 1955, I had the privilege of inserting in the Congressional Record an address on "The Need for Wilderness Areas" in which the prospects for such a program were outlined by Howard Zahniser, the executive secretary and editor of the Wilderness Society.

A national wilderness preservation system, it was suggested, could be made up of areas already within our Federal estate and appropriate for the purpose.

No changes in jurisdiction would be involved.

No new land-administering agency would be created.

The areas within the system—areas already under some kind of Federal administration and still wilderness in character—would be those designated by the executive agency involved, but also with congressional approval. The administration agency would simply be charged with the responsibility of preserving the wilderness character of such areas as units also of the National Wilderness Preservation System.

AREAS CONTINUE TO SERVE PRESENT PURPOSES

The designated wilderness in the national forests, for example, would continue under the protection of the Forest Service but with the assurance of perpetuity that Congress can give.

National park and monument areas in the system would continue under the National Park Service.

National wildlife refuges to be included would continue to be administered by the Fish and Wildlife Service as wildlife refuges.

Each area would continue to serve its peculiar purpose, whether of particular administration, but every agency would be charged with the responsibility of preserving the wilderness character of any such area in its custody.

REMARKABLE PUBLIC INTEREST SHOWN

Following my introduction of this proposal in the Congressional Record a remarkable expression of interest came from every part of the country. I was encouraged to do what I could to see such a possibility become a reality.

As I reported to the Senate 3 years ago, on February 29, 1956, I was not prepared to doubt the underlying philosophy or dispute the practical need. Letters came from people in all walks of life—lay people and professional, educators, physicians, scientists, conservationists—people with a deep concern to preserve their heritage of the magnificent, almost untouched, natural areas in our national parks and monuments, our national forests, and wildlife refuges.

Excerpts from these letters were printed in the Congressional Record in connection with my remarks on February 29, 1956.

BILLS INTRODUCED RECEIVING SUPPORT

Soon thereafter, on June 7, 1956, in behalf of myself and a coast-to-coast bipartisan group of cosponsors, I introduced in the 84th Congress, for study purposes, a bill to establish such a National Wilderness Preservation System.

Copies of this bill (S. 4013) and my remarks on its introduction were widely distributed for consideration and criticism

When the Honorable John P. Saylor, of Pennsylvania, introduced a companion bill in the House of Representatives and spoke with great force and eloquence in that Chamber on July 12, 1956, representatives of the executive agency involved, but also with congressional approval. The administration agency would simply be charged with the responsibility of preserving the wilderness character of such areas as units also of the National Wilderness Preservation System.

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tions and their suggestions for amend-
ments.

Field hearings were also held in Bend, Oreg., in San Francisco, in Salt Lake City, in Albuquerque, on November 7, 10, 12, and 14. These hearings resulted in a better public understanding of the measure, and elicited further the broad public support that the wilder-
ness bill has aroused.

NEWSPAPER AND MAGAZINE INTEREST

During the past 3 years, since I first introduced the preliminary draft of the wilderness bill, newspapers and magazines have shown a growing interest in the proposal. At the conclusion of my remarks I shall ask unanimous con-
sent to have the actual text of a sample of such writings included in the Congress-
ional Record for the information of all Senators.

PERFECTED PROPOSAL NOW READY FOR ACTION

The significant fact here and now is that we have come to these opening days of the 86th Congress with a pro-
posal that has been formulated after some years of study; subjected to a series of hearings, including two in Washington, D.C., and four in the West; clarified and otherwise revised to meet objec-
tions; and endorsed by a deeply interested, informed, and aroused public opinion.

A proposal that in its very beginnings sought to avoid any disruption of estab-
lished programs or enterprises, a bill that sought rather to respect the status quo in Government and business alike, a bill that deals only with Federal lands that are already part of our national for-
est, parks, and refuges, a bill that dam-
ages no other interest or program—this bill has been carefully improved through a series of revisions to meet objections and to take advantage of suggestions.

We now have a measure, Mr. Presi-
dent, that demands and deserves our immediate attention.

WILDERNESS BILL REINTRODUCED

Mr. President, once again it is my privilege to present the wilderness bill to the Senate. On behalf of myself, the junior Senator from West Virginia (Mr. Lausche), and Senators Robert Byrd of West Virginia, Joseph S. Clark, Paul H. Douglas, William Langer, Frank J. Lausche, Karl Mundt, Mike Mansfield, Thomas Martin, Wayne Morse, James E. Murray, William Proxmire, Jennings Randolph, Margaret Chase Smith, Alex-
ander Wiley, Harrison A. Williams, Jr., and Richard B. Russell, I propose for sub-
mission to all areas of Federal land that the portion to be thus devoted to wilderness preservation will be an aspect of its pro-
posed program.

In the first place, all the wilderness lands involved make up less than 2% percent of all our lands.

If we consider our Federal holdings of land and the portion to be thus devoted to wilderness preservation, we see again the reasonableness of this program.

All of the Federal areas involved in the proposed Wilderness System make up less than 5.2 percent of our total Federal holdings. More than two-thirds of this is already in parks, monuments, or refuges and thus already removed from commercial use.

The wilderness bill carefully provides a due process for any additions or enlarge-
ments. It is a process that requires 90 days' public notice of any application for approval by the agency involved, whenever the agency is ready to act or consider action. This notice must be followed by a hear-
ing if there is a demand for the hearing. And finally, if the proposal is adopted, if it is, there are 120 days for congressional review.

These safeguards of due process apply to all areas of Federal land that might be involved, including Alaska, I might emphasize.

This bill, for example, does not give wilderness status to a single acre of for-
est land now available for timber production.

No lumber company could at present log any of the areas of wilderness pro-
tected by this measure without first en-
tering the due process against invading a protected area that the con-
trary over this bill would seem mild.

For the wilderness bill relates to Fed-
eral lands, parks, refuges, or in some other special status in which they al-
ready are removed from commercial availability.

LIVESTOCK INTERESTS PROTECTED

The opposition of livestock interests is similarly without basis in the provi-
sions of this bill.

A special provision safeguards the con-
tinuation of the grazing that is now estab-
lished programs and rights also provide safeguards against damage to the estab-
lished projects of oil, gas, and mineral interests. It is a process that requires care to provide for the opening in the future of any national forest areas where and when the need for minerals is greater than that for wilderness. Needed reser-
voir projects are similarly provided for, and water rights are protected.

HOW MUCH TIMBER LAND IS AT STAKE?

Whatever commercial interests there may legitimately be in these areas of wilderness will thus be carefully safe-
guarded in the proposed program. Of course, this is of great importance to those people who are directly affected, and to all of us whom they serve. Yet I cannot refrain from pointing out that the hue and cry raised by the representa-
tives of commercial interests over this proposed wilderness bill sound way out of proportion to the area of land involved and to the value of these lands in the potential production of commercial re-
sources.

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AVOIDING DAMAGE IS A PURPOSE OF THE BILL

Thus it seems to me plain that the policy and purpose to be established by this bill, however we look at it, will not be injurious to any commercial interests.

The wilderness bill has indeed been designed and perfected with the deliber-
ate purpose of thus avoiding damage to other interests.

Furthermore, this bill carefully takes into consideration the various uses that can be made of the actual areas of wilder-
ness which it seeks to protect.

It is not a single-purpose measure but rather seeks to establish a wilderness preservation program that recognizes the multiple uses that can be made of the wilderness areas.

NO CHANGES IN JURISDICTION

This important feature of the wilder-
ness bill is immediately apparent in the fact that no areas will be removed by it from their present classifications or from the custody of their present administrators.

National forest lands continue to be within the national forests and under the jurisdiction of the Forest Service. National park system areas continue as national park system areas under the jurisdiction of the National Park Service. The refuges and ranges similarly continue as at present under the Fish and Wildlife Service.

Furthermore, each area to be included in the wilderness system will continue to serve its present purpose. Its wilder-
ness preservation will be an aspect of its management for some other concurrent purpose.

A MULTIPLE-USE WILDERNESS PROGRAM

This is a multiple-purpose wilderness program. The areas within the Na-
tional park system will continue to be administered for the use and enjoyment of the people. The refuge areas in-
cluded will continue to be administered, not for recreation but for the wildlife. The national forest areas will continue to be administered on the multiple-use principle of the Forest Service, as wilderness but also serving other purposes.

A great deal has been said about multiple use in the discussions of the wilder-
ness bill.

As a result of the earlier discussions a declaration of the multiple-use policy has been incorporated in the bill itself, in section 1(d), largely in the phrase-
ology of the U.S. Forest Service.

This makes explicit what proponents of the bill had from the start considered to be implicit in the whole program.

It does not, of course, permit anything in a wilderness that would destroy it as such. But it does make clear that an area be a wilderness area can serve other purposes also.

WHAT 'MULTIPLE USE' MEANS

Despite the fact that so much has been said about multiple use—maybe because so much has been said—multiple use does not seem to be well understood.

Some people seem to think that multi-
ple use means only timber cutting plus a multiplicity of other things, but this is not so.
The Forest Service itself in explaining that national forests are multiple-use areas says that this means that each area yields the highest combination of uses best suited to public needs. That is what the wilderness bill means when it directs that the national forests are to be administered—and I quote—"on a multiple-use basis so that all the resources thereof, including the recreational and wildlife habitat resources, will be used and developed to produce a sustained yield of products and services, including establishment and maintenance of wilderness areas, for the benefit of all the people of this and future generations."

**THE WILDERNESS BILL GIVES SANCTION TO MULTIPLE USE**

Far from violating the multiple-use principle, this bill actually gives legal sanction to this principle. What it means specifically is plain. It means a combination of uses that includes watershed protection, recreation, scientific research, and any others that are consistent with wilderness preservation.

**THE NEED AND OPPORTUNITY FOR ACTION NOW**

We are indeed fortunate that we still have these remnants of wilderness to preserve. We are fortunate that we have developed a program for their protection and preservation while there is yet a good opportunity to see it adopted without disruption of other interests.

Critics and even friends may chide us for our eagerness and anxiety and say there is no real or pressing need for such legislation now. Yet we can see all about us the mounting pressures.

We can recognize that all our lands are destined to be put to some human use, that no areas of wilderness can be expected to remain as such accidentally, that our only lasting hope for preservation is in the deliberate designation of areas to be preserved.

"DO SOMETHING BEFORE THE HOUSE IS OUT"

As I pointed out 2 years ago, those of us who are commercially interested in conservation are worried, and I think with good cause.

We see the pressure that is coming, and as elected representatives it is our clear duty to do something before the horse is out of the barn.

There seems to be a crisis every day in the world in which we live, and if we continue to manage our resources on the basis of continuing crises, our entire future will degenerate into a chronic confusion of crises.

The only way we are going to change that is by looking ahead and taking timely action.

That is what this wilderness bill proposes to do.

Instead of waiting until the crisis has engulfed us, we can now, by enacting this measure, make secure the preservation of those areas that do now in fact constitute our national wilderness system—the areas that are now in fact being handled as wilderness, even though they serve other purposes also.

It is much better to take such steps now than to wait until we have to wait for the kind of pressing need for protective measures that must be accompanied by emergency action, the bitterness of urgent controversy, and the high cost of political meanderings.

**WE ARE GOING TO HAVE TO DO SOMETHING**

We do well to view thus in the relative calmness of our present opportunity our responsibility for preserving some of our wilderness.

The noted professor of economics at Harvard, John Kenneth Galbraith, in his current best selling book on "The Affluent Society," underscores the importance of such concerns as we have in wilderness preservation.

The test ahead of us, he concludes, "will be less the effectiveness of our material investment, than the effectiveness of our investment in men."

Dr. Galbraith suggests that the problem ahead of us may be that of "a burgeoning population and of space in which to live with peace and grace."

It may be that the deploration of the materials which nature has stocked in the earth's crust and which have been drawn upon more heavily in this century than in all previous centuries, is that of "occupying minds no longer committed to the stockpiling of goods."

Whatever the problem, says Professor Galbraith, "the basic demand on America will be on its resources of ability, intelligence, and education."

To have failed to solve the problem of producing goods would have been to continue one in his oldest and most grievous misfortunes—"writes Dr. Galbraith in the closing paragraph of his book.

But to fail to see that we have solved it and to fail to proceed thence to the next task, would be fully as tragic.

We are rightfully proud of our material success, but we have more than material needs. Our young people especially need the experience that comes in unspoiled areas of wilderness. Certainly we should try to preserve the areas that are still wilderness, still in our Federal custody, still available for all of us today and for our successors also if we ourselves act responsibly.

Mr. President, I ask unanimous consent that this bill lie over on the desk through the end of this week for the names of additional cosponsors.

The PRESIDING OFFICER. Without objection, so ordered.

Mr. HUMPHREY. I ask unanimous consent that a detailed explanation of this bill be inserted at this point in the Record, along with the full text of the bill itself—exhibit B—and a supplementary memorandum—exhibit C—comprising a selection of letters and statements regarding the wilderness bill plus many newspapers, editorials, and reports.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the explanatory and supplementary memorandum will be printed in the Record.

The bill (S. 1123) to establish a National Wilderness Preservation System on behalf of the whole people, and for other purposes, introduced by Mr. HUMPHREY (for himself, Mr. NICHOLSON, Mr. BYRD of West Virginia, Mr. CLARK, Mr. DOUGLAS, Mr. LANDESMAN, Mr. MUNROE, Mr. MANSFIELD, Mr. MARTIN, Mr. MORSE, Mr. MURRAY, Mr. PROXAKIS, Mr. RANDOLPH, Mrs. SMITH, Mr. WILEY, Mr. WILLIAMS of New Jersey, and Mr. SCOTT, was received, referred to the Committee on Interior and Insular Affairs.

The explanation, bill, and supplementary memorandum submitted by Mr. HUMPHREY are as follows:

**EXHIBIT A**

**A DESCRIPTION OF THE NATIONAL WILDERNESS PRESERVATION BILL**

In the preparation of this analysis and description I have been greatly aided by a summary of the earlier bill prepared by William Zimmerman, Jr., Washington Representative of Trustees for Conservation, and also by an analysis and series of comments written by Charles Callison, Conservation Director of the National Wildlife Federation. I would like to express my appreciation to the conservation leaders and to acknowledge my use of their excellent interpretations.

**A WILDERNESS POLICY**

Section 1 lays down the broad policies for the formation of a national wilderness system.

It is made clear that the preservation of wilderness areas is in the public interest, to serve the public by providing opportunity for recreation, scenic enjoyment, scientific and historical study, and preservation of the pristine environment in such a manner as to preserve the wilderness unimpaired for future use and enjoyment.

Preservation of such areas is declared to be a desirable policy for the health, welfare, knowledge, and happiness of present and future generations.

These wilderness areas will not be locked up for the benefit of a few. They will be preserved for the Nation, and will be available to any and all persons who want to see and visit and enjoy them.

It is made clear in the very first section that this bill relates to lands now in Federal ownership or control, either by conservation action, or by administrative action, or by administrative action, as in the national forests.

Wilderness areas under various designations are presently reserved and are not open to commercial exploitation.

The wilderness bill would set up standards and procedures for the guidance of the agencies which have been and will continue to be responsible for administration.

All of the areas which will be established as wilderness under this bill will continue to be managed by the bureaus which are already responsible.

In the Department of Agriculture, this is the Forest Service. In the Department of the Interior, these are the National Park Service, the Fish and Wildlife Service, the Bureau of Indian Affairs, and perhaps the Bureau of Land Management.

No new bureau or administrative agency will be needed. Two departments, acting through the bureaus, will have authority and machinery to carry out the purposes of this act.

They will have the added strength which will come from congressional affirmation of a national policy, clothed in a statute.

**Multiple use**

One other point in section 1 needs to be considered. It is required that the areas in the Wilderness System be so administered as to
preserve their wilderness character, the Congress would for the first time give statute recognition to the policy of multiple use, particularly as carried out in the national forests.

Of course, this does not mean that every foot of a national forest is susceptible to half a dozen uses. It does mean that half a dozen uses may be possible within the forest. And specifically, in this connection, it means an investigation and a finding that certain lands, if so used, will have their highest and best use as wilderness.

A revision in this section removes the designation of wilderness where a substantial amount and instead substitutes the direct requirement that the wilderness character of the areas involved must be preserved.

The substitute is equally satisfactory for wilderness protection purposes but avoids offending Western water interests especially, who for well understandable reasons, do not want anything considered paramount to watershed protection.

The "policy" Section

Section 1 of this section, setting forth principles and purpose.

Subsection (a) of the opening section in addition to establishing a National Wilderness Preservation System makes plain that for the practical purposes of this act the term means the areas involved must be preserved.

The substitute is equally satisfactory for wilderness protection purposes but avoids offending Western water interests especially, who for well understandable reasons, do not want anything considered paramount to watershed protection.

Subsections 2(b) and 2(c)

Subsection (b) gives additional reasons why wilderness areas must be protected, and subsection (c) declares wilderness preservation for public use to be a policy of Congress. Areas that qualify, having retained the principal attributes of their primeval character are to be protected in national parks, national forests, and other public lands.

Certain areas are to become part of the System with passage of this bill. Others may be added in accordance with procedures specified later in the bill.

All such areas are to be so administered as to "preserve their wilderness character." This means the areas are not exclusively for wilderness but that the wilderness values shall be considered of greater importance to the people than, say, hunting, or fishing, or anything that would destroy these special areas as wilderness.

It does not prevent their use for purposes that will not threaten them as wilderness.

Subsections 1(d) and 1(e)

Subsection (d) approves the policies of "multiple use" and "sustained yield" management that have been developed by the U.S. Forest Service of the Department of Agriculture for the national forests.

A directive that wilderness areas, like other national forest lands, "shall be so managed as to protect and preserve the watersheds, the soil, the beneficial forest and timber growth, and the recreation value, which are especially important. This provides for fire control and measures, such as hunting, to keep both under control.

Subsection (e) defines "wilderness," a term that holds different meanings for different people. The place where man himself is a visitor who does not remain. This subsection makes plain that for the practical purposes of this act the term means the areas that are included in section 9.

The Wilderness System

Section 2 states that the wilderness system shall comprise (subject to existing private rights) any area of land owned or controlled by the Federal Government as designated in section 9.

This section has six subheadings:

**Subsection 2(a). National Forest Wilderness Areas**

(a) National forest areas: Areas within the national forests, classified as of June 1, 1958, as wilderness, primitive, or roadless, and are now included, with the proviso that the Secretary of Agriculture must within 20 years make such modifications as he determines to be necessary, to exclude any portions not predominately of wilderness value or add additional forest lands which he determines to be predominately of wilderness value.

The Secretary by former versions of the bill would have had only 10 years within which to make such modifications, but in order to make sure that there is adequate time for their investigation, the proposed time allowance has been doubled.

If the Secretary desires to include additional areas in the wilderness system he must give at least 90 days public notice and must hold a hearing if there is demand for one.

A further check on the Secretary is provided in subsection (f), which permits congressional review of changes in wilderness areas, as explained later.

The Forest Service, acting without specific direction by this act, has set aside portions of national forests for wilderness preservation.

Section 2 of the act marked out for protection and study, such an area has been called primitive.

Next the Service studies the area, reviews the boundaries if necessary, and protects it into the wilderness area classification if it contains more than 100,000 acres. Tracts smaller than 100,000 acres are called wild areas.

There are three special areas in the wilderness canoecountry of Minnesota that have been given the special designation of roadless areas, and are now grouped as the boundary waters canoe area.

These are national forests in the national forests, with a total of 8,555,983 acres.

An even dozen have been reclassified as wilderness areas and, combined, total 4,725,077 acres.

Twenty-one wild areas have 726,168 acres.

The Minnesota canoe area comprises 1,068,743 acres.

Altogether for the primitive, wilderness, wild, and roadless areas total 14,305,071 acres. This is only 8 percent of the 181 million acres in the nation's national forests.

Most of these areas are in high or steep mountain country where logging, grazing, and mining must be restricted anyway to protect the natural scenery.

An entire park is included in the wilderness system, but the Secretary of the Interior will be permitted to determine what portion of a park or monument may be required for roads, motor trails, and necessary buildings for visitor administration.

The remainder of each park or monument embracing a block of 5,000 acres or more without roads will then be part of the wilderness system.

This section also includes language which will safeguard the high standards of the National Park Service, in accordance with the National Parks Act of 1916, and subsequent supplementary acts.

In preparation for the Senate Committee on Interior and Insular Affairs, the National Park Service has estimated that there probably are 46 areas in the national park system (out of a total of 181 units in the system) that would be designated as wilderness.

The Secretary of the Interior would be given 10 years to designate such units and decide what part of each unit should be used for scenic and other values.

Wilderness preservation has been an established policy that the National Park Service also has developed under acts of Congress creating national parks, national monuments, and national seashores.

**Subsection 2(c). Refugees**

(c) National wildlife refuges and ranges: Recognizing that not all wildlife refuges and ranges must be in wilderness status, the bill provides for visitors and administration.

Only about 20 of the 276 national wildlife refuges and ranges would be in the wilderness system.

**Subsection 2(d). The Indian's Wilderness**

A way is provided in subsection (d) for establishment of wilderness areas on Indian reservations.

This means the areas are not exclusively for visitors and administration.

Such lands really belong to the Indians, not to the public, and are only held in trust by the Government. Wilderness bill sponsors recognize this, and the bill makes it clear that wilderness areas can be established on reservations only if the Indians give their consent.

There is a significant revision here of S. 4028. The revision restores to the wilderness bill its earlier requirement that anything which the Indians' wilderness must be with their consent.

In S. 4028 last summer the wilderness bill contained language which was changed to give authority to the Secretary of the Interior to establish wilderness areas on Indian reservations without the Indians giving their consent, and this was severely criticized and rightly so, in my opinion.

As before, however, the wilderness bill now requires Indian consent. And it carefully safeguards all Indian rights and privileges.

On some reservations the best and highest use for some portions would be wilderness preservation.

Economically, too, such use would be desirable for it would bring in more money and more cash than would be derived from any other kind of exploitation.

There are some roadless areas contiguous to similar areas in national forests or national parks. If these Indian areas were properly managed, the result could be disastrous for watershed protection and for scenic and other values.

**Subsection 2(e). Other Units**

It is conceivable that some other Federal agencies as well as the Department might own or control an area suitable for inclusion in the Wilderness Preservation System, but that would be the wilderness owned by private individuals. It is conceivable that some of these areas might in the future be given or transferred to the
Federal Government for wilderness preservation. Subsection (e) makes it possible to accept such areas.

SUBSECTION 3 (P). ADDITIONS OR OTHER CHANGES

(f) Additions, modifications, and eliminations: This paragraph provides that the responsible officials who have authority to make changes in the system shall do so only after public notice and shall report the changes to Congress.

The second paragraph of subsection (c) makes it possible for wilderness areas to become effective at the end of a 120-day period, during which Congress may pass a concurrent resolution opposing the changes.

If the Congress does not act, the changes stand effective.

This paragraph also authorizes the acquisition of private lands within the boundaries of any wilderness unit.

Subsection (4) should be studied carefully. It provides specifically how existing wilderness areas may be changed, or how areas may be added to or eliminated from the system.

Public notice must be given for 90 days. A hearing will be held if there is public demand for one.

Then the change, addition, or elimination can be made only if Congress does not disapprove within 120 days. In other words, such changes would normally be carried out by the administrative agencies. If Congress disapproved, it would have 120 days in which to take action if necessary.

The public would always be informed.

The Wilderness bill would not blanket in new areas not now designated as wilderness or primitively preserved in the national forests or not previously included within national forests or wildlife refuges. Additions could be made only through a bill, public procedure, and Congress, representing all the people, would have the final say.

The bill would not "freeze" or "lock up" such material resources as timber and minerals for all time.

Congress can abolish or change any wilderness area at any time by passing a bill. The President can open any area for mining if needed in the national interest under section 3(c)(2).

The bill itself provides an orderly procedure for changing wilderness areas. For every lock there is a key.

Wilderness use

Section 3 on "use of the wilderness" is important, for it makes clear that wilderness is for all time. This section, in subsection (a), makes plain that the preservation of wilderness is not inconsistent with the purposes for which national parks, national forests, and other units have been established.

These units will be so administered for such other purposes as also to preserve their wilderness character.

SUBSECTION 3 (B). PROTECTION AGAINST WRONG USE

Subsection (2) provides certain general requirements for the maintenance of wilderness.

No permanent roads, no use of motor vehicles, helicopters or other equipment, motorboats or aircraft, and no other mechanical transport or delivery of persons or things, and no structures or installations, including temporary roads, in excess of the minimum required for administration.

SUBSECTION 3 (C). SPECIAL PROVISIONS

However, this section also makes certain exceptions to the general provisions, giving recognition to prior established uses in national forests, such as grazing and the use of motorboats.

By the inclusion of one of the Department of Agriculture (Forest Service) recommendations made at the July 23, 1958, hearings, another special provision authorizes such measures within national forest areas as may be necessary to control insects and forest diseases, subject to conditions deemed desirable by the Secretary of Agriculture.

The third paragraph of subsection 3(c)(3) authorizes the President to open specific areas in the national forests for prospecting, mining, or construction of reservoirs and other developments. The President is directed that such uses will best serve the interests of the United States and the people thereof.

The third paragraph in this subsection relates to the roadless areas in the Superior National Forest which have been the subject of recent special legislation and administrative orders.

Section 4 of the act deals with additions and changes in the system. It clearly authorizes the continuance of such uses as are authorized in the Executive order or the legislation establishing such unit.

Section 5, the last in this section, contains language vital to colleagues from the West: It does say, in subsection (b), that use of wilderness areas is more lenient than many have been led to believe. It does say, in subsection (b), that use of roads, trails, non-motorized equines, aircraft, or motorboats, the landing of aircraft or other mechanical transport or delivery of persons or supplies, shall be held to the minimum required for administration of the areas in accordance with the purposes spelled out in the act.

The bill would not, however, close any area to hunting or fishing where these forms of recreation are now permitted.

National forests have always been closed to hunting, by law, although fishing is permitted. Certain wildlife refuges also are closed to hunting. The national forests are open to public hunting and fishing, under State law, except where special sanctuaries are set apart by State action.

Special provisions reiterated

To avoid any possible misunderstandings, it may be well to reiterate and review the special provisions spelled out in section 3 under subsection (c):

1. Grazing and the use of aircraft or motorboats may be continued on any national forest area where now permitted. These uses would be subject to conditions as the President and the Chief of the Forest Service seem desirable, but would not be adding anything new here, because the act now gives the authority to make such restrictions.

2. The President of the United States could open any national forest wilderness area to prospecting, mining, and other development, including reservoir construction, in the national interest, including the essential road construction involved.

3. The law also provides in section 3 that for the roadless areas in Minnesota are reaffirmed. Where motorboats are now permitted, those roads may be continued. Where mining or other commercial developments are now permitted under the Executive order or law establishing any national wildlife refuge, such uses may continue.

5. No claim is made to exemption from State water laws on any national forest area.

SECTION 4

The Wilderness Council

Section 4 establishes the National Wilderness Preservation Council.

The Council is not an administrative agency, and it has no authority over any of the agencies which do have jurisdiction.

It is composed of the Secretaries of the Interior and Agriculture, the Secretary of the Smithsonian Institution, all three of whom serve ex officio, and three citizen members, to be appointed by the President, with the advice and consent of the Senate.

The citizen members, after the initial terms which were for 5 years, would serve for 6 years. They receive no pay, but are allowed per diem and transportation costs when actually serving.

The Council is intended to bring to a focus our various wilderness interests and to be an information center. It is to be the repository, official, and data bank for the Wilderness System, and it is authorized to coordinate and disseminate information.

The Council is required to make an annual report to the Congress, on its own operations and about the status of the Wilderness System.

The authorization for Council expenses is limited to $100,000 a year, and disbursements of funds would be made through the Smithsonian Institution, which has new fiscal machinery need be established.

Section 4(b), which refers to sending the Council copies of reports to Congress, is more lenient than many have been led to believe. It does say, in subsection (b), that use of roads, trails, non-motorized equines, aircraft, or motorboats, the landing of aircraft or other mechanical transport or delivery of persons or supplies, shall be held to the minimum required for administration of the areas in accordance with the purposes spelled out in the act.

The bill would not, however, close any area to hunting or fishing where these forms of recreation are now permitted.

No permanent roads, no use of motor vehicles, helicopters or other equipment, motorboats or aircraft, and no other mechanical transport or delivery of persons or things, and no structures or installations, including temporary roads, in excess of the minimum required for administration.

It is composed of the Secretaries of the Interior, Agriculture, and Transportation, three of whom serve ex officio, and the other three citizen members on the Council, after the initial terms which were for 5 years, would serve for 6 years. They receive no pay, but are allowed per diem and transportation costs when actually serving.

No permanent roads, no use of motor vehicles, helicopters or other equipment, motorboats or aircraft, and no other mechanical transport or delivery of persons or things, and no structures or installations, including temporary roads, in excess of the minimum required for administration.

1. Grazing and the use of aircraft or motorboats may be continued on any national forest area where now permitted. These uses would be subject to conditions as the President and the Chief of the Forest Service seem desirable, but would not be adding anything new here, because the act now gives the authority to make such restrictions.

The Secretary of Agriculture may permit such uses as he deems necessary for the control of forest insects and disease.

2. The President of the United States could open any national forest wilderness area to prospecting, mining, or other development, including reservoir construction, in the national interest, including the essential road construction involved.

3. The law also provides in section 3 that for the roadless areas in Minnesota are reaffirmed. Where motorboats are now permitted, those roads may be continued. Where mining or other commercial developments are now permitted under the Executive order or law establishing any national wildlife refuge, such uses may continue.

5. No claim is made to exemption from State water laws on any national forest area.

Section 5 simply provides that this act shall be known as the National Wilderness Preservation Act. It is an act for which the American people will long be thankful, and of which we here work for its enactment will long be proud.
In the overall view, the wilderness bill does the following important things to protect the public interest in preserving some wilderness areas of the United States:

1. It establishes wilderness preservation as a policy of Congress and applies this policy to areas of land, such as parks, national forests, and wilderness areas, as wilderness. The Wilderness Preservation System is established. The units of this System designated for purposes of this Act, and those that may later be so designated as authorized by its provisions, shall be so protected and administered as to preserve their wilderness character.

2. In establishing such a National Wilderness Preservation System, all areas within the national forests it is further designed to be the policy of Congress to add to the public domain areas of land and water provided for in this section and the related airspace reservations.

A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Passed by the Senate and House of Representatives of the United States of America in Congress assembled, That (a), in order to secure for the American people of present and future generations the benefits of an enduring resource of wilderness, there is hereby established a National Wilderness Preservation System, and that Congress, as hereinafter provided, this System shall be composed of federal or owned or controlled areas in the United States and itsTerritories and possessions, retaining their prumal environment and influence and being managed for public purposes, shall serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(b) The Congress recognizes that an increasing population, accompanied by expansion of knowledge and ideas of nature, is destined to occupy and modify all areas within the United States, its Territories and possessions. As hereinafter provided, this System shall be composed of federal or owned or controlled areas in the United States and its Territories and possessions, retaining their prumal environment and influence and being managed for public purposes, shall serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(c) The Congress further recognizes that an increasing population, accompanied by expansion of knowledge and ideas of nature, is destined to occupy and modify all areas within the United States, its Territories and possessions. As hereinafter provided, this System shall be composed of federal or owned or controlled areas in the United States and its Territories and possessions, retaining their prumal environment and influence and being managed for public purposes, shall serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(d) In establishing such a National Wilderness Preservation System, all areas within the national forests it is further designed to be the policy of Congress to add to the public domain areas of land and water provided for in this section and the related airspace reservations.

These three things are reasons why the wilderness bill has been proposed, and why it should be enacted.

EXHIBIT B

S. 1130

A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Passed by the Senate and House of Representatives of the United States of America in Congress assembled, That (a), in order to secure for the American people of present and future generations the benefits of an enduring resource of wilderness, there is hereby established a National Wilderness Preservation System, and that Congress, as hereinafter provided, this System shall be composed of federal or owned or controlled areas in the United States and itsTerritories and possessions, retaining their prumal environment and influence and being managed for public purposes, shall serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(b) The Congress recognizes that an increasing population, accompanied by expansion of knowledge and ideas of nature, is destined to occupy and modify all areas within the United States, its Territories and possessions. As hereinafter provided, this System shall be composed of federal or owned or controlled areas in the United States and its Territories and possessions, retaining their prumal environment and influence and being managed for public purposes, shall serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(c) The Congress further recognizes that an increasing population, accompanied by expansion of knowledge and ideas of nature, is destined to occupy and modify all areas within the United States, its Territories and possessions. As hereinafter provided, this System shall be composed of federal or owned or controlled areas in the United States and its Territories and possessions, retaining their prumal environment and influence and being managed for public purposes, shall serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(d) In establishing such a National Wilderness Preservation System, all areas within the national forests it is further designed to be the policy of Congress to add to the public domain areas of land and water provided for in this section and the related airspace reservations.
two years after the refuge or range is added to his jurisdiction.

Within two years after the designation of any refuge or range, and ninety days after giving public notice in accordance with section 4, Administrative Procedure Act of 1946 (60 Stat. 238; 5 U.S.C. § 551 et seq.), the Secretary of the Interior shall designate within such refuge or range such areas as he deems necessary to provide for roads and other essential activities required for roads and buildings and other installations for administration and protection of the wildlife, which area or areas shall be in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, the natural character of the area, particularly in the vicinity of lakes, streams, and portages: Provided, That nothing in this Act shall preclude the Secretary of the Interior from authorizing the already established use of motorboats. Nothing in this Act shall modify the restrictions imposed on the use of motor boats under Public Law 539, Seventy-first Congress, second session, July 10, 1930, and the Humphrey-Bryan Act, Eighty-fourth Congress, second session, June 22, 1956, as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

THE INDIANS’ WILDERNESS

(d) The Wilderness System shall include such areas of tribal land on Indian reservations as the Secretary of the Interior may designate as appropriate for inclusion upon the System, and any proposed addition or modification to the System shall not change title to the land or any beneficial interest therein, and shall not otherwise affect the Indians’ hunting and fishing rights or privileges.

OTHER UNITS

(e) The Wilderness System shall also include such units as may be designated within any federally owned or controlled area of land and/or water by the official or officials authorized to determine the uses of the lands and waters involved, including any area or areas acquired by gift or bequest, or reserved, or established or authorized for preservation as wilderness. The designation of, addition to, modification of, or elimination from such units shall be in accordance with regulations that shall be established in conformity with the purposes of this Act, and the Secretary of Agriculture, or officials authorized to determine the uses of the lands and waters involved, including, but not limited to, any agencies of the Smithsonian Institution, may each designate an area of such units to be used for purposes of recreational, scenic, scientific, educational, conservation, and historical use, and no such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation. Such proposed additions or modifications to units of the Wilderness System shall be used for purposes of preservation, and no existing use or form of commercial enterprise not contemplated in the purposes of this Act. Within such areas, except as otherwise provided in this section and in sections 2 of this Act, there shall be no permanent road; nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft, nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act.

SPECIAL PROVISIONS

(c) The following special provisions are hereby made:

(1) Within national forest areas included in the Wilderness System, the use of aircraft or motorboats where such practices have already become well established may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. Within national forest areas included in the Wilderness System, the use of livestock grazing of livestock and the use of aircraft or motorboats where such practices have already become well established may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. Within such areas, except as otherwise provided in this section and in section 2 of this Act, there shall be no permanent road; nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft, nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act.

(2) Within national forest areas included in the Wilderness System the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting, mining, or the establishment or maintenance of reservoirs and water-conservation works, including the road construction found essential to such mining and reservoir construction, upon his determination that such specific area will better serve the interests of the United States and the people thereof than New Deal presidential agencies have done.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian, Stoux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Council and Council as may be filed with it. The Council shall serve as a nonexclusive clearinghouse for exchanges of information among the agencies administering areas within the Wilderness System and may make, sponsor, and encourage the coordination of surveys of...
wilderness needs and conditions and gather and disseminate information, including maps, descriptions of the existing guarding and use and preservation of the areas of wilderness within the Wilderness System, including areas in States and other non-Federal areas. The Council is directed to consult with, advise, and invite the Secretary of the Interior of the United States Government and to assist in obtaining cooperation in wilderness preservation and use among Federal and State agencies and private agencies and organizations concerned therewith. The Council, through its Chairman, shall annually present to the President for presentation in the Congress not later than the tenth day of January, a report on the operations of the Council during the preceding fiscal year and on the status of the Wilderness System at the close of that fiscal year, including an annotated list of the areas included showing their size, location, and administering agency, and shall make such recommendations to Congress as the Council shall deem advisable.

(d) The Council shall meet annually and at such times between annual meetings as the Chairman, or any three members. Members of the Council shall serve as such without compensation but shall receive transportation expenses and in addition a per diem payment to be fixed by the Council, not to exceed $50 a day, as reimbursement for expenditures in connection with attending any meeting of the Council. A sum sufficient to pay the necessary expenses of the Council, including printing and binding the report, not to exceed an annual expenditure of $100,000, is hereby authorized to be appropriated for such purpose. Amounts remaining in the treasury not otherwise appropriated. Disbursements from such appropriations shall be made by the Secretary of the Smithsonian Institution in behalf of the Council. The Secretary of the Smithsonian Institution in behalf of the Council is authorized to accept private gifts and benefactions to be used to further the purposes of this Act, and such gifts and benefactions shall be deductible from income for Federal and state purposes and shall be exempt from Federal estate tax.

Sec. 5. This act shall be known as the "National Wilderness Preservation Act."

EXHIBIT C
SUPPLEMENTARY MEMORANDUM—A SELECTION OF REPORTS AND COMMENTS ON THE WILDERNESS BILL
Many individuals, organizations, and publications have endorsed the wilderness bill and have urged its enactment.

An understanding of the widespread interest in and support for this measure would require attention to the many letters and other comments referring to the bill in the 85th Congress. Essentially the same bill now is being reintroduced, in the 86th Congress.

CORRESPONDENCE
Those who have already written their comments to Federal and State Representatives in Congress may naturally assume that their endorsements are on record. They may not realize that it will be helpful for them to reiterate their opinions for the benefit of a new Congress.

Accordingly it is well for us to note that such letters were received in great numbers, and selections have appeared in the published transcript of the Senate hearings held in Washington in June of 1957 and July of 1958 and in the West in the summer of 1958. Such correspondance has also been represented in the Congressional Record, particularly February 20, 1956, June 7, 1956, and February 11, 1957.

NEWSPAPER AND MAGAZINE COMMENT

Magazine articles and newspaper editorials pertaining to the wilderness bill were also impressively numerous during the 85th Congress and were represented in the printed transcripts of the hearings and in the Congressional Record. These included Washington Post editorials on February 2, 1956, and July 6, 1958, entitled "Wild and Forever Wild"; a New York Times editorial on July 20, 1958, on "The Wilderness Bill," which London Times editorial on July 11, 1957, editorial in the Minneapolis Star entitled "The Wilderness Bill"; a column in the Milwaukee Journal on May 25, 1958, by Col. Quayl called "New Kind of Tonk"; an editorial in the Bend (Ore.) Bulletin on "The Wilderness Bill," saying it "deserves support"; an editorial in the January 29, 1958, Eugene (Oreg.) Register-Guard on "Wilderness in Our National Parks"; a St. Louis Post-Dispatch favorable editorial on March 5, 1958, called "To Preserve Our Heritage"; a Christian Science Monitor editorial of June 14, 1958, entitled "Wilderness Must Be There"; and an editorial in the San Francisco Chronicle of April 14, 1957, entitled "The Wilderness in the Future," saying that the bill offers "truly sound wilderness protection."

ORGANIZATION SUPPORT
Endorsements from conservation and other citizen organizations likewise were greatly encouraging during the 85th Congress. It can be assumed with confidence that such support for a bill that essentially the same as its predecessor will be reiterated.

On pages 130 and 131 of the printed transcript of the Senate hearings on July 23, 1958, hearings by the Senate Committee on Interior and Insular Affairs entitled "National Wilderness Bill." The following are listed 33 organizations who have expressed support of the bill. In two categories—national organizations and state and local organizations—they are as follows:

TWENTY-TWO NATIONAL ORGANIZATIONS SUPPORTING THE WILDERNESS BILL

1. APL-CIO.
5. American Society of Naturalists.
6. Citizens Committee on Natural Resources.
8. Federation of Western Outdoor Clubs.
10. General Federation of Women's Clubs.
11. Idaho Wilderness Committee.
18. Sierra Club.
20. The Wilderness Society.
22. FIFTY-EIGHT STATE, REGIONAL, AND LOCAL ORGANIZATIONS SUPPORTING THE WILDERNESS BILL

1. Adirondack Mountain Club.
4. American Game and Fish Association.
5. Appalachian Mountain Club.
7. Billings Rod and Gun Club.
8. Bird Club of Westfield, N.J.
10. Casavantion of Yakima.
11. Citizens for Natural Resources Association of Wisconsin.
16. Federation of Garden Clubs of Virginia, Piedmont District.
17. Flathead Wildlife, Inc.
18. Friends of the Forest Preserve.
20. Friends of the Wilderness.
22. Georgia Conservation League, Region 3.
23. Green Mountain Club.
24. Hawk Mountain Sanctuary Association.
27. Independent Timbermen's Committee.
28. IWA, Wisconsin Division.
29. Mazamas.
32. Montclair Bird Club.
33. The Mountainaires.
34. The Natural History Society of Eugene.
35. Natural Resources Council of Illinois.
40. Obstidna.
41. Oklahoma Audubon Society.
42. Oklahoma Garden Club.
43. Oklahoma Outdoor Council.
44. Olympic Park Association, Inc.
45. Philadelphia Conservationists, Inc.
46. Peoria Rod and Gun Club.
47. President's Quetico-Superior Committee.
49. Ravalli County Fish and Wildlife Association.
50. Roamers Hiking Club.
51. Rock Tavern Rod and Gun Club.
52. St. Petersburgh Audubon Society.
53. Seattle Audubon Society.
54. The Trailfinders.
55. Trowel Garden Club.

RECENT COMMENT
Since the adjournment of the 85th Congress, particularly in connection with and as a result of the field hearings held in November, interest in the wilderness bill has increased. Comments from sources previously not heard from have been widely circulated.

Notable among these was an Associated Press feature article by Bern Price dispatched from the Washington, D.C., headquarters but used by many members of Congress throughout the country. The following is a summary of the article for December 21, 1958, ran this article on its front page. It appeared to be the paper's No. 2 item. First was a report on the Atlas satellite with an 8-column heading across the page, "Message to Space and Back." Next was a column head for Bern Price's dispatch entitled "The Great Debate: Are Wilds Doomed?"

The article is as follows:

[From the Des Moines Sunday Register, Dec. 21, 1958]

"THE GREAT DEBATE: ARE WILDS DOOMED—SHARP CLASH OVER USE OF LAKE FORESTS—PRESERVATION SOUGHT IN LEGISLATION"

"By Bern Price"

"WASHINGTON—For many people the prospect of America exploiting its wild forests where a civilization-battered man can find peace for his soul is almost inconceivable."

"With our exploding population, however, the loss is possible, and therein lie the seeds of a future which will affect countless future citizens."

"There are those who would set aside, as this generation's gift to the future, between
50 and 55 million acres of wilderness in 11 Western States and Alaska which remain as the Indians found them thousands of years ago.

Opponents hold that setting aside these land areas would mean locking up potentially valuable assets, with a subsequent loss in taxes and wages from private exploitation. "The proposal permits grazing in the wilderness lands where such already is the established practice," Senator Milburn, of Grassrange, Mont., president of the American National Cattlemen's Association, told a cattlemen's meeting that "the loss of grazing and other resource harvesting will have a great economic impact on our national economy."

"He argued that the wilderness preservation proposal would mean loss of revenue by Government from grazing fees and would lower the value of ranches in the area."

"Not adequate consideration has been given to the proposal that the magnificent use of public land hasn't changed since the late 1860's when a national park was first proposed. Such a park did come into being in 1872. Arguments over such valuable public land have changed much since.

Preservation bill

"In each of the last two sessions of Congress efforts were made to pass a national wilderness preservation bill. Another effort probably will be made early in the coming 86th Congress.

"Fifty to 55 million acres appear to be a lot of land until you consider that the United States and Alaska contain 2,800,000,000 acres of forest land. About 58 million acres of these, roadless wilderness lands, are in the West."

"At present nearly all of the 50 to 55 million acres in the proposed law is restricted by Federal administrative decree to recreation purposes only. People can move into them by pack train, canoe, or on foot to hunt and fish."

"So what is the fuss about?"

"The chief fear of opponents seems to be that once the wilderness preservation principle is established by law, more and more of the land will be brought under its protection."

"While the opponents generally agree that wilderness preservation is desirable, they object to it by the act of Congress which is much tougher to change than administrative fiat."

Remote areas

"These forests are administered by the Bureau of Indian Affairs, the Bureau of Land Management, the U.S. Forestry Service and the National Park Service.

"Forests which would be protected lie, for the most part, in the high and remote areas of the West where timber cutting, oil exploitation, mining, and grazing generally would be arduous and expensive. At least that is what the advocates of the proposal say."

"An opposition point of view was given by Warwick M. Downing, of Denver, chairman of the National organization of public lands committee."

"Downing said:"

"The U.S. Geological Survey recently reported that the public lands have earned $127,400,000 during the past year. This proposed bill would set aside at least 50 million acres now and probably soon another 50 million acres from which there would be no land revenue.

"The Department of the Interior and the public land States are committed to the doctrine of multiple use. For instance, land can be prospected for oil or for potash, or prospecting for oil or potash and used for grazing, or used both for grazing and timber operations."

"There is ample land in the national parks and in a few isolated areas for all wilderness purposes without directly setting aside tremendous areas for limited use."

"Downing referred to public land revenue. None of the land which would be set aside as wilderness now produces revenue."

"Another opposition point of view came from G. R. (Jack) Milburn, of Grassrange, Utah."

"The proposal permits grazing in the wilderness lands where such already is the established practice."

"Where recreation facilities exist, they will continue."

"The proposal creates no new bureaucracy to save an unpaid advisory council. Those agencies that already administer the land now would continue."

"A number of provisions have been written into the proposal since 1957 to meet objections by western commercial interests."

"Zahniser said, "Our objective is to design a program that will avoid controversy."

"Resources group

"Congress created a committee known as the National Outdoor Recreation Resources Commission."

"This commission is to study the Nation's past needs and report 2 years from now. Opponents of the wilderness bill hold that no action should be taken until such time."

"Proponents hold that to wait 2 years is just another stalling action; that any report by the commission merely would complement the wilderness preservation bill."

"The past decade The Wilderness Society has been urging preservation of our remaining sizable areas of wilderness, most of which are federally owned. In 1955 a speech made by Howard Zahniser, the Society's executive secretary, interested Senator Humphrey in the project. The following year he introduced the National Wilderness preservation bill, but no action was taken on it. He reintroduced it in 1957 with 70 sponsors. The Senate Committee on Interior and Insular Affairs held public hearings on it, he substituted a revised bill designed to meet objections to it."

"Today there are 50 million acres in 163 areas-classified and administered as roadless, wild, wilderness, or primitive-in our national forests, national parks, Federal wildlife refuges and game ranges, and Indian reservations in 28 States and Hawaii. Three quarters of these are in the West, but several in the eastern half of the country are of importance to sportmen. Among them are the Moosehorn Wilderness Refuge in Maine, Cape Hatteras National Seashore Recreation Area in North Carolina, and the Hacienda Recreation in Georgia, and Delta Wildlife Refuge in Louisiana."

"Humphrey's bill does not remove the areas from jurisdiction of agencies now administering them to that of some new setup, but seeks to insure that they will remain under Federal ownership. Should the areas be turned over to the States the Federal agency that now administers it, and that agency would be responsible to Congress for preserving the area's true wilderness character."

"The law would not make the wilderness system perpetually inviolate by freezing any unit in unchangeable wilderness status."
The "Conservation" department which Harold Titus edits in the magazine Field & Stream included in its January 1959 issue a section entitled "Wilderness Bill." It is as follows:

From Field and Stream, January 1959

CONSERVATION

"(Harold Titus)

"Wilderness Bill"

"Lawmakers are assembling in Washington for the organization of a new Congress. Before the Senate and House become the usual number of proposals for legislation affecting the Nation's natural resources. At the present time, certain areas will be considered of prime importance to conservationists stands out. This is known as the wilderness bill, designed to establish a wilderness-preservation policy backed up by enabling legislation. It will mark the third appearance of this bill in as many consecutive sessions.

"Four well-attended hearings held in the West 6 weeks ago by the Senate Interior and Insular Affairs Committee served to sharpen the debate on which Congress will debate the issue in coming months. The draft of the bill now before Congress appears to be satisfactory to all the public groups interested in wilderness. It was these hearings that in some respects more than a glorified information center. It was these hearings that determined that they are in the national interest.

"The bill requires that, so far as practicable, all use of any area where it now is permitted, and of fishing in all wilderness areas that have fishable waters. Each year, the entire 100,000 acres of national park wilderness areas.

"Some sportsmen are lukewarm in their support of the bill because they think that the wilderness areas are not large enough. People interested in conservation of wilderness areas. They want all the people hunting grounds and fishing waters, that we must develop to get maximum payoff from public lands.

"The revised bill has been approved by the Department of Agriculture and the Department of the Interior. But the former has for a National Wilderness Preservation Act, the latter for a National Wilderness Preservation Act. The authors of the lands, who now make such use to a few hunters and fishermen. Supporters say that this, fortunately, is the case, and point out that if such areas were used by many persons they would soon lose their wilderness character. But they insist that there are many wild and unspoiled places, and that such use will not destroy the wilderness areas. They want all the people now by the Forest Service, will be eliminated.

"New Members of Congress should be apprised of the situation. In general, the positions of the older legislators is known, but it is possible that newcomers may have opinions. Certain timber, grazing and mining groups registered their disapproval at the hearings and gave the other side an idea of what to expect when the actual debate in Congress begins.

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"Reference was made at the Bend hearing to the famous Three Sisters case of a couple of years ago in which a primitive area was reduced by 58,000 acres by the Forest Service in converting it into a more permanent wilderness. The proposal was made to provide greater timber resources for mills in the Eugene area. Conservationists fought the proposal strenuously, although, as Gifford Pinchot, patron saint of conservation, who sought the greatest good for the greatest number, said directors did not approve the bill, although the wilderness preservation bill. A state management plan was considered, but was rejected.

"The Oregon division of the league said directors did not approve the bill, although the proposal was made to provide for the greatest good for the greatest number. The reduction was made to settle the controversy."
"Varied opinions

"Here are some of the opinions expressed: "David R. Brover, executive director of the Sierra Club, said:

"Unbridled commercialism born of self-interest is the greatest threat there is to the beauty of America. The wilderness bill provides the bare minimum of restraint which should be imposed upon such commercialism."

"Robert T. Patton, chairman of the public lands committee of the Western Oil and Gas Association, opposing the bill:

"The significance of wilderness to people lies, along with concepts of beauty and religion, in the category of human values. The wilderness is one of these intangible values of great worth which is in danger of shrinking to the vanishing point."

"A bill to preserve wilderness areas in Federal lands, and to protect them against exploitation, is said to have an excellent chance of passing and we hope it does."

"Opponents say the bill itself defines wilderness as 'an area where the earth and its community of life are untrammeled by man, where man does not legislate wisely and soberly for his own good, and that of posterity; where wild scenic and open-air recreation areas are maintained, and where the natural resources are utilized, efficient use is made of the lands and resources thereof, and no more wilderness is lost forever."

"The key idea of the wilderness bill, 4,000 acres, is to preserve them; to stop the exploitation of America's last remaining wilderness areas—about 2 percent of the country—and to protect them against exploitation, to keep them unspoiled."

"The conservationists argue that wilderness areas have high scientific value as natural laboratories, that they help protect watershed resources; that they should be preserved for future generations."

"To the industry spokesmen the bill was an annoyance that could be overcome by special interest legislation designed to lock up critically needed natural resources."

"The bill adds no new restrictions on mining, logging, and grazing; it simply confirms that those that exist and requires congressional approval before an area can be removed from the wilderness category."

"The proposal is as follows:"

"Ah, wilderness. The conservationists support the wilderness bill and the hearings it has called forth. The San Francisco Chronicle, under the heading "Ah, wilderness," commented as follows:

"E. MURRAY, Democrat, of Montana,

"BERGER, Democrat, of Oregon,

"Federal agencies. Experience has shown that if decision is made by administrators, who are subject to varying administrations. But there should be no retreat to the status quo ante."

"There is, of course, a great deal of resistance to this idea. The sparsely populated Western States having the greatest expanses of federally owned land and teeming populations the most favorable. Oil, mineral, livestock grazing and timber interests continue to oppose the bill, despite the fact that special interest legislation to lock up its resources has already been accommodated.

"There may be legitimate further accommodations. But this should be no retreat from the main principle of keeping the vanished American wilderness intact. Unless some day in Congress there should be some day that there is no wilderness left, and that the Nation as a whole is relatively stripped of all its wild lands and recreation land as our cities are now."

"PAO ALTO TIMES EDITORIAL

"On November 14, 1958, the Daily Palo Alto (Calif.) Times warned editorially "When it's gone it's gone forever.' This editorial is as follows:

"San Francisco Chronicle, Nov. 11, 1958"

"One Hundred Million Arguments"

"The San Francisco Chronicle on November 12, 1958, entitled its editorial on the wilderness bill "One Hundred Million Arguments." It was as follows:

"The significance of wilderness to people lies, along with concepts of beauty and religion, in the category of human values. The wilderness is one of these intangible values of great worth which is in danger of shrinking to the vanishing point."

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or horse were branded dreamers

"Opponents, among the 67 witnesses which were heard, told the committee that the bill would be class legislation providing land use for only 1 percent of the Nation's population. "They also claimed the bill ignored the multiple-use concept of present Federal land management, would create another agency duplicating work now handled by other bureaus, would threaten economies of various areas and would allow for negative legislation."

"The hearings of the bill, mostly fish and game officials and organized sports groups, argued action must be taken now to save portions of the Nation's wilderness or it would be too late forever."

"Senators James E. Murray (Democrat, Montana) presided at the morning session and gaveled the hearing to order."

"Then Senator Henry C. Dowsisiak (Republican, Idaho) took over."

"Following that, two newly elected Republican Senators, Frank E. (Tom) Moss of Utah, and Gale McGee, of Wyoming."

"By doing this, the committee was told, the hearing was held when jammed and scores of persons stood in corridors. A committee clerk estimated 150 persons attended the session."

"Utah officials, headed by Gov. George D. Clyde, marched, with opponents of the measures."

"Governor Clyde said people in the West are concerned by the bill because of the interest it will cause among anglers and on job opportunities for their children."

"He said the opposition to the bill does not imply opposition to wilderness preservation as a legitimate part of the multiple-use concept. He said the multiple-use concept cannot be too strongly emphasized."

"The resource of first importance, in my book, is water," the Governor said."

"Other Utah officials to state opposition to the bill were Frank J. Allen, director of the Utah State Land Board, Jay R. Kingham, executive director of the Utah Water and Power Board, and C. J. Oisen, director of the Utah State Park and Recreation Commission."

"Supporters Included the National Wildlife Federation, the National Audubon Society, the American Fisheries Society, the Fish and Game Department, the Dude Ranchers' Association, the Wind River (Wyo.) Outfitters' Association, the Utah Wilderness Federation, the Montana State Department of Fish and Game, the Montana Wildlife Federation, a host of local fish and game clubs in Wyoming and Montana and a United Mine Workers local from Rock Springs, Wyo."

"In number of speakers at least, it was the opposition that had the edge."

"Other opponents of the bill included Rocky Mountain Oil & Gas Association, Valdai Chamber of Commerce, National Wool Growers, Utah Farm Bureau, Utah Wool Growers, North Dakota Oil & Gas Association, Utah Cattlemen's Club, Montana Stockgrowers Association, Utah Cattlemen's Association, Colorado Association of Women's Clubs, Montana Stockgrowers Association, Utah Cattlemen's Association, Colorado Association of Women's Clubs, Utah Chamber of Commerce, Utah County Officials, the Colorado State Chamber of Commerce, Utah Farmers Union, the Wyoming Natural Resource Board and the Utah Water Users Association."

In the Salt Lake City Tribune's Public Forum on November 13, 1958, a letter writer, W. S. Bolton, of Milford, Utah, undertook to correct some misinformation. His letter given the title Save Wilderness, is as follows:

"The public forum: Save Wilderness"

"To the Tribune:"

"Contrary to what some special interests would tell you, the wilderness bill is not designed to take away any of the privileges which are already established on the public lands. It is the use of a mechanism which would permit public lands from further encroachment by selfish private interests that are concerned only in the public collection of another dollar, regardless of its source."

"We have many forests and other public lands at the present that are a network of roads and show the scars of so-called progress wherever you turn. It is about time that we protected what we have left so that the generations to follow will not be cheated of their heritage, the untrammeled primitive areas of this great West."

"Regardless of what the various chambers of commerce and other drumbeaters broadcast, it is not progress just because it rings a cash register. When you cut a road into a wilderness area with your virgin timber so someone can take a picture from the front seat of a Cadillac, it strikes a decidedly sour note with millions of people."

"If the present trend continues and this bill in some form is not passed, your grandchild will wake up to find that the thrill or satisfaction of penetrating into an area only occasionally visited by man and then without using a mechanical vehicle. They will be denied the soul-stirring drama of sitting by a campfire in the hills without the distraction of the multiple-use concept."

"The bill, as presently worded, would definitely bar from both wilderness areas, to include portions of national forests, national parks, wilderness refuges, Indian lands and other lands owned or controlled by the Federal Government. The Secretaries of Agriculture and Interior would have to designate Federal lands to be excluded and could later add other lands to the system on 90-day notice. With certain exceptions, roads, motor vehicles and landing fields would be excluded from the wilderness areas."

"The hearing was marked by one flareup between witnesses. It was on proposed endorsement of the bill by Russell L. Hanks, of the New Mexico Mountain Club."

"His attack club"

"Otto Hake, of Frank Bond and Son, Inc., who represents a group of operators in the Bandelier National Monument, asked Hanks' testimony be disregarded. Hake said hiking club members several years ago climbed Redondo Peak, on the Bond ranch, and charged, 'They left gates open and the cattle, and mixed it cost us hundreds of dollars to unmix them."

"An appeal from an organization of dairy farmers, and property and makes it hard for us to produce cattle should not be permitted.'"

"Another charge was that the bill permits cattle to be moved from the Federal courtroom in which the hearing was marked by one flareup between witnesses. It was on proposed endorsement of the bill by Russell L. Hanks, of the New Mexico Mountain Club."

"Anderson stepped in at this point to advise club members to talk to Gordon Bond, head of the Bond Firm, in an attempt to clear up the difficulty."

"State opposed"

"The State of New Mexico was placed on record as opposing the wilderness preservation system by S. E. Thomas, of the State Engineer, who said it could have serious consequences adversely affecting the economic development of the State. He mentioned several reservoir and irrigation projects present and proposed, and in so near the wilderness areas that they would be handicapped if motor vehicles could not be used to reach them."

"The State is anxious to prevent the designation of her wilderness areas by commercial activity and to preserve these areas for the enjoyment of all of the people of the United States," Reynolds declared. But he believed the bill under consideration was not the proper step. He advised opponents should wait for the report of the National Outdoor Recreation Resources Review Commission, which is due in 1961."

"A delay"

"He also declared the measure would obstruct the special use programs of national parks, national monuments and wild life refuges, and he would be 'against that type of natural resources in wilderness areas.' He and almost all other witnesses who opposed
the bill, asked action be delayed until the National Outdoor Recreation Resources Review Board reported.

"Recommendation for 'passage of legislation setting up a wilderness system as one of the multiple uses of the national forests,' was made by Nevada's Big Game and Conservation Association. It recommended some changes in the present wording.

"The bill does not refer to all grazing operations with established uses, such as grazing of live-

stock,' the association said in a statement read at a later hearing, former director of the State game department. 'The bill does not impair, but rather enhances, watershed values of the area. Watershed is, after all, the highest single use to which practically all existing wilderness, wild and primitive areas can be devoted.'

"A wilderness trip of any kind afoot or horseback is inspiring and educational,' Bar-

er said in an individual statement. 'Who would deprive his children and their chil-

dren after they have enjoyed such a wonder-

ful experience? Passage of the Wilderness Preservation Act will preserve that privilege for them.'

"Cattlemen's stand

W. I. Driggers, president of the New Mexico Cattle Growers Association, declared it was surprising how little use of the public lands in New Mexico to be of para-

mount importance to the economic growth and development of the State. 'The livestock and State's livestock industry had an income of $156 millions last year, and expects $150 million this year. 'The bill does not oppose the million acres now in wilder-

ness, wild and primitive areas in New Mex-

ico, but believes present law gives the For-

est Service adequate authority to maintain them and establish new ones if needed.

"In New Mexico, 98 percent of the land area is grazed land. The Forest Service would declare. 'The economy of our State is de-

pendent upon livestock and farming; mining and oil development and all of these indus-

tries are dependent upon our public lands. Is it any wonder then that we look upon any move to disrupt the use and productivity of these lands with alarm?'

"Locals 1689 and 794 of the International Association of Machinists and the New Mex-

ico AFL-CIO endorsed the bill in state-

ments read by James Weber.

"We believe people, the general public, as opposed to individuals or groups with special economic advantages, have a prior right to their natural resources,' read the machinists' statement.

"Bill Ely, publisher of the Silver City Daily Press—in a city near the State's largest wilderness area—endorsed a wilderness bill but called for changes in the present draft.

"Two views

"There appear to be two camps, one un-

alterably opposed to the ideas of the other,' said Ely. 'It seems to me necessary changes can be made in the bill, and it ought to be passed then. As it stands now, it depends upon the whim of an administrator. We can have a wilderness today, and tomorrow this may be the same large tract of land. "H. Ray Macht, rancher of Pagoa Springs, Colo., said he does not believe a wilderness area is any harm to the livestock in the industry, but he called for some assurance grazing privileges will be continued.

"Testimony has been all for or all against the bill, but the evidence we should open our ears and our eyes and our minds and realize there are several sides to this. I think by making sure the public has a chance to take a look at the proposal, we will have widespread support.'

THE DENVER POST

The columnist Cal Qual of the Denver Post reported on the hearings in his "Outdoor Empire" column for November 13, 1958, en-
titled "Final Hearing Held." This column by Cal Qual with a significant summary comment on the wilderness bill is as follows:

[From the Denver (Colo.) Post, Nov. 13, 1958]

"OUTDOOR EMPIRE

"(By Cal Qual)

"Final hearing held

"The last of a series of hearings in the West on the so-called wilderness bill is now under way in Albuquerque. The hearings are an opportunity for a last-ditch effort from opponents of the measure, who were opposed to such hearings, to see the bill gaining enough support for possible enactment in the last Congress. As a delaying move for the bill's opponents, the last sort of backfire. Conservation interests have marshaled their forces to testify at the hearings and are making their opinions felt.

"Colorado conservationists are well repre-

sented in Albuquerque. Leading a four-man delegation from the State is Dr. Raymond E. Lanier, director of the New Mexico State parks and wilderness for the Colorado Eyeak Waltonians. Also attending are three men from New Mexico, as well as a representative of the Colorado Mountain Club; Ed Hilliard, representing the Wildlife Federation, and George Kelly, representing the State's game department.

"Dr. Lanier will present a three-point tes-

timony favoring the bill, which, briefly de-

described, would set aside areas of the Nation where wilderness recreation values would take preference over other uses, such as commercial development.

"Dr. Lanier's three points are these:

1. The bill for the first time recognizes wilderness areas in the overall theory of land management.

2. It protects such areas from adverse management decisions (decisions to change a wilderness designation would be given public notice for 90 days, with a hearing if the demand existed, and Congress would be given 120 days to act on the measure). The signature of a bureau chief or Cabinet officer would no longer be enough.

3. The bill wouldn't impair multiple-use principles of the Forest Service, national parks, etc. So long as mining, mining, and other interests, but would at the same time have wilderness preservation as its major goal. The President can open any area for mining if needed in the national interest.

Many points in the revised bill are mis-

understood, sometimes wilfully, by those interests who are fighting it. A few of these points of controversy we will make clear.

"The bill does not set a policy of special privilege or selfish interest. Groups that have made this charge are those who want to use the public lands for commercial pur-

poses and private gain.

"The charge has been made that unreasonable large blocks of land will be pulled out of the public domain for spece interests, meaning recreationists. Absolutely, the preser-

ative, wildness, wild and roadless areas that may come under the bill account for only 8 percent of the 181 million acres in the national forests. Most of these areas are in high or steep mountain country where logging, grazing and mining are already restricted to protect the watersheds.

"The wilderness bill would not blanket new areas not now designated as wilderness or wilderness study areas; and other areas or areas already included within national parks or wildlife refuges. Additions could be made under public notice for 90 days, public notice for 90 days, and Congress would have the final say.

"Private rights are protected under the bill. Grazing would be continued on any national forest where it is now permitted. Reservoir construction or mining development could be permitted as the Pres- ident deems necessary in the national interest.

"The wilderness preservation council pro-

vided for in the measure would have absolute-ly no administrative jurisdiction over any area of land. Its duties would be fact-

finding, informational and advisory only. With the recommendation of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Smithsonian In-

stitution, and three citizens appointed by the President it is not as strong as the councils envisioned in the bill, but it is not weakening its authority.

"Charges that the council would be a built-in lobby are unfounded. If it were such, it could be reported for its "Outdoor Empire" column in the Denver Post for November 20, 1958, that the oft-repeated and vague charges of the opponents of the wilder-

ness bill are wearing thin. Cal Qual's No-

vember 20 article is as follows:

[From the Denver (Colo.) Post, Nov. 20, 1958]

"OUTDOOR EMPIRE

"It was obvious from the new out of Albu-

querque, N. Mex., last week concerning the congressional hearings on the wilderness bill that the opponents of the measure were there in force.

"But their oft-repeated and vague charges of "conservation purism" and 'wildlife radic-

als' are wearing thin. "By contrast, the viewpoints presented by supporters of the bill, including several Colo-

radians, were clear and well taken. The com-

ments of two Colorado men were especially noteworthy.

"One of them was Ed Hilliard, a partner in Denver's Redbird Gunstock Co., who spoke as a member of the hunting industry—sporting goods dealers and manufacturers, motel and dude ranch operators, etc. He's also a local Izaak Waltonian, and much of what he said was guided by a close understanding of the problem of land for wildlife. Some of his comments:

"The game management people are being asked to produce more and more with less and less plant, and the results of these trends could be the complete un-

availability of the types of game that require relatively large tracts of terrain free of hu-

man influence.

"Hilliard said he was referring particularly to elk, which in Colorado range through

"Final Hearing Held." This column by Cal Qual with a significant summary comment on the wilderness bill is as follows:

[From the Denver (Colo.) Post, Nov. 13, 1958]
wilderness and adjoining areas. He points out that timber and grazing are already allowed in the wilderness in pursuit of their livelihood, but that there is no alternative for elk.

He suggests that the wilderness areas serve as the magnet which attracts hunters and other users to a general area where the wilderness lies. He says the true value or use of the wilderness, therefore, goes far beyond its use with respect to people actually settling foot in it. In other words, the wilderness bill goes too far, and that such legislation isn’t needed right now, Hilliard had this answer:

The creation of national parks and wilderness areas, but would add the program to what is now a 2 percent of the Nation’s acreage-land management system in effect since the early 1930’s. These things, but have set up a smoke screen to get the attention of the public.

The Living Wilderness, published by The Wilderness Society, saw the field hearings to be held during the congressional recess were recognized as an important step. More than 7 years ago it was, on our June-July 1951 editorial page, that we first enlisted in the battle. The Living Wilderness had this to say then, ‘to move positively and translate the wilderness thinking into specific terms of action.’

(From Nature magazine, November 1958)

February 19
The Living Wilderness in its News Items of Interest department carried a report of the hearings held by the National Wild Life Federation in its Conservation News for December 1, 1958, "Wilderness Bill Hearings," as follows:

[Fran the Living Wilderness, autumn 1958]

"Wilderness Bill Field Hearings"

"Surprising public support for the wilderness bill was disclosed in the field hearings held in four western cities in November, the National Wild Life Federation's Conservation News reported on December 1, 1958. While uncovering little new about the lineup of organized support and opposition, the News said 'the hearings did reveal an amount of public interest and a volume of support from the general public that surprised both the sponsors and the organized opposition.'"

"The hearings were held on the revised Senate bill 4028 by the Senate Interior and Insular Affairs Committee, in Bend, Oreg., November 7; San Francisco, November 10; Salt Lake City, November 12, and Albuquerque, November 14, 1958."

"The text of the News report follows:

"'Pro' witnesses supported the wilderness bill in four western cities last month disclosed little new about the lineup of organized support and organized opposition.

"'Conservationists who want wilderness preservation really are the best answer. In the words of

E. Murray, chairman, Committee on Interior and Insular Affairs, Washington, D.C., the opportunity, will require participation in the one-sided aspect of general public opinion, realized

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Henry Dworshak attended the Bend and Salt Lake City hearings of the newly elected U.S. Senators attended the Salt Lake City session. They were Frank E. Moss, of Utah, and Gale W. McGee, of Wyoming. The bill probably somewhat revised as a result of the recent hearings, will be reintroduced shortly after the 86th Congress convenes in January. It will then have a number different from the present S. 4028.

In the autumn 1958 issue The Living Wilderness also noted the opposition to the wilderness bill expressed at the field hearings and subsequently by those who have a commercial interest in these wilderness lands, and commented as follows in an editorial entitled "If We Have To."

"Advocates of the bill, particularly on the west, argue the wilderness bill's 'nobility of concept' and commented that the public land is a national resource for the benefit of all the people, while all the rest of the countryside should be opened for the use and not in any pattern of national need.

"If the Congressman "has shown a fine attitude of conservation in having made every effort to be practical yet idealistic, they believe that the wilderness bill's 'nobility of concept' and the opposition for what it is."

"But those urging action can hardly continue to hold a spurious value meeting objections outlined by opponents only to find that when the objections have been met the opposition continues. Reluctant as they are to support all the elements of the bill the must now recognize that some controversy is inevitable, and they must press on earnestly in the public interests as they see it.

"There is, of course, considerable satisfaction in having made every effort to be co-operative and constructive—in having, as it were, proved the inevitability of opposition and controversy.

"There is also great encouragement in having evoked from the resulting public discussions such testimony as Martha Ann Platt's and Paul S. Brown of the Mazamas commended the wilderness bill's 'nobility of concept' and commented that this was a challenge to all. There is no indication of the perpetuation of big game herds in our interest in making use of these wilderness lands, even if in a future that they anticipate, are opened as a public refuge. The rest of the protected public seems overwhelmingly in favor of it.

"Advocates of the measure, however, have shown no disposition to abandon the reasonableness of their proposal or attitude. On the contrary, they have maintained their confidence that responsible legislators and executives who are called on to resolve controversy into legislation can be expected to recognize the reasonableness and identify the opposition for what it is."

"The Secretary of Agriculture or other executive official. In essence, they believe this is about all S. 4028 does.

"Hearings ended in democratic way. "In his summary NWF Vice President Brown said the Bend hearing was "a practical demonstration of a democratic way of handling the wilderness question. Wilderness areas, national parks, and wildlife refuges."

"The new bill to be enacted in Congress should, therefore, provide that after that bill has been passed and signed by the President for the use and not in any pattern of national need.

"It is apparent that the extremists on the wilderness question have recognized themselves to a more multiple-use policy and have shown a fine attitude of compromise. Other conservation organizations, who perhaps have been thinking too liberally, now seem generally agreed that the last version (S. 4028) is a very good one.

"The opposition, while admitting the desirability of the bill, yet declared that its objections to opposing any national legislation for fear it will restrict their sphere of influence and make it more difficult for selfish interests to control these areas."

"Finally, such hearings as this one at Bend certainly should be beneficial in educating the public about natural beauty and will definitely increase the support for a wilderness bill."

"Veteran Senator James E. Murray, of Montana, chairman of the Senate Committee on Interior and Insular Affairs, prended himself at the Salt Lake City hearing. Senators Bruner of Oregon, Jim- nan of Oregon, conducted the Bend and San Francisco hearings, Senator Albert L. Calvert of New Mexico, presided at Albuquerque. Senator
heard another rangefinder expert maintain that too much wilderness of the positive sort can and does lead to concentrations of elk, which can ultimately destroy themselves through starvation.

"State land board and forestry officials, declaring that too much wild West is a problem, hired professional packers and outfitters, roadless wilderness of the type under discussion.

"U.S. scenery advocates would itself be destroyed, if the proposed wilderness provisions prohibited. 'The Chiefly National Wilderness Preservation System is extremely difficult in certain areas already exist under the jurisdiction of the U.S. Forest Service, along with wilderness. It was made plain that fewer than 2 percent of all recreation seekers seek aware of the extensive wilderness areas—a matter that irks many westerners.

"One Montana stockman, discussing the future of the wilderness bill, drew attention to the fact that much wilderness is open to selective timbering, with roads leading to these sacrosanct areas.

"The Righ Utah State Park are allowed to stand unanswered.

"The Federal comment favored the bill. In my own biased view, the proponents are described as the result of the hearings, which are allowed to stand unanswered.

"The situation regarding the 181 million acres of U.S. Forest Service lands—except for the present wilderness areas—is very different, because of multiple-use provisions applying to most Forest Service land. Under the multiple-use philosophy, national forests are open to selective timbering, with efforts made to preserve scenic values while insuring a monetary return from the publicly owned forests.

"Advocates of this policy say cutting mature timber and planting and protection of new growth is "better conservation" than the wilderness philosophy practiced in national forests. Westerners say, "If such a [wilderness] system were to be established it would be administered by a specially created council or agency.'

"This is untrue. There are other evidences that Mr. Goodman's piece has an aura of impartiality, but I am running through it and major error as well.

"An important difference exists between objectivity and advocacy, and between either of these and advocacy disguised as objectivity. It is not clear that Mr. Goodman wished to favor the proposed National Wilderness Preservation System and believe its creation can be the congressional legislative step in conservation since 1916.

"The Internal evidence of the article's bias is inescapable:

(1) The featured quotations from witnesses are all from statements by opponents, which are allowed to stand unanswered.

(2) The Franciscan's secular forest problems are straight reporting, but those of proponents are colored.

(3) The scant mention of proponents' arguments, like those of the opponents, are only by an opponent's statement, and at length.

(4) The proponents are described as "out- side observers." The 39 senators, in whose fear they were only outnum- bered the opponents by 39 to 22; the press coverage was, in my own biased view, as well-organized as the proponents.

"But to respect to error, Mr. Goodman starts out with a big one in his first paragraph, which says, "If such a [wilderness] system were to be established it would be administered by a specially created council or agency.'

"This is untrue. There are other evidences that Mr. Goodman's study was cur- rently being held, as I believe the hearings were being held, he should have considered carefully the Times editorial of June 23, 1957, before contradicting it.

"The Hearings. There is the special interest opposition that its moderate and reasonable terms do not deserve.

"One could hardly listen in on any hearings. The proponents outnum- bered the opponents by 39 to 22; the press coverage was, in my own biased view, as well-organized as the proponents.
bill. They must know that the present protection of wilderness is conventionally weak—
weak enough to allow commercial exploitation of wild areas without too much trouble. The bill's added protection would make that exploitation harder (by providing for congressional review of what the various agencies shall do to add to the System or delete from it), and therefore, they think, should be opposed with vigor. For in their view, it would be ported with vigor by the public as a whole.

"A living wilderness, for which the propo­nent of the bill speaks, is one which lives but once. The force of creation, uninterrupted by man's technology, has flowed there since the beginning. For all his intelligence and knowledge, man cannot create, nor store wilderness or to phrase the questions which wilderness alone may be able to answer about the life force. Wilderness is one of the primal wonders of our land and our children have a right to know it."

"In utilitarian terms, what would the de­struction of wilderness mean? That which the resource developers now seem to covet to the last commercial crumb amounts to but 2 percent of the land area of the Continental United States, and it contains only the two places where anyone can get more than 10 miles from a road. A little of that 2 percent is of appreciable commercial value and that little has an irrereplaceable intangible value as wilderness. The small commercial problem will in itself enable no industry to survive. Wilderness may, however, have scientific and educational values that will enable mankind to survive in a civilized state. Man is bright enough, surely, to make his civilization flow around the few islands of wilderness which he can protect."

"The proponents' case is summed up, in another context, by Romain Gary, who, in "The Roots of Heaven," has his man Lauren­ce Rush, of Texas, has said, man will have cut as much 1/5 of our country's surface area (for himself, Mr. Langenberg, Mr. Allott, Mr. Beall, Mr. Drehser, Mr. Young of North Dakota, Mr. Langer, and Mr. Montg.) was 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,

DECLARATIONS AND FINDINGS

SECTION 1. The Congress of the United States hereby makes the following declara­tions and findings concerning the develop­ment of new and additional industrial uses for agricultural products:

(a) Current industry of farms in the United States is substantially in excess of current markets for their products at prices levels which provide fair and substantial income to farmers.

(b) National defense and the security in­terests of the United States require increasing and expanding agricultural productivity to meet possible emergency needs of the United States and its allies, which productivity cannot be achieved or maintained at current markets and new uses must be found to reduce the production of farm prod­ucts means a reduction in the general economy of the Nation. I simply do not think that the future will be any different."
shall be exempt from the civil service laws and regulations.

(d) Employ or retain on a contract basis individuals, firms, institutions, and consortia to carry out the work of the Bureau, including land-grant colleges and universities, to conduct research programs for the Administration pursuant to this Act.

Sec. 6. The Administration is authorized to pay incentive awards to private citizens for acceptable suggestions to implement the program established by this Act, such payments to be made in accordance with previously published rules stating the criteria for determining, and the subjects of, such awards.

Sec. 7. The Administrator is authorized to appoint a Committee for the purpose of employing consultants without compensation or at rates of compensation not to exceed $30 per diem.

Sec. 8. The Administrator is authorized to make grants to accredited schools, colleges, and universities for fellowships and scholarships in research which will enable full-time graduate students to carry on research. The purpose of such grants shall be to provide a far-reaching and permanent program for the maintenance and development of research in food and living products.

The statement presented by Mr. Capehart is as follows:

STATEMENT BY SENATOR CAPEHART

On behalf of myself and other Senators, I have introduced, for appropriate reference, the bill which provides for the enactment of this Act. If the Senate on numerous occasions heretofore, will provide a far-reaching and permanent program for the maintenance and development of research in food and living products, the bill will do it. This Act has been with us for many, many years. It is a bill to provide a $100 million federal directed program of research and development of basic and applied research for the everyday products of the American farm in industry. It is a bill to provide funds to initiate promptly this program that has been with us for many, many years. It is a bill which, if passed, will provide a far-reaching and permanent program for the maintenance and development of research in food and living products.

The purpose of such grants shall be to provide a far-reaching and permanent program for the maintenance and development of research in food and living products. This bill is designed to reverse that situation by creating such a demand for farm products that there simply will be no surplus. It's that simple.

FARM INCOME DOWNS

Now, what else has happened under our falling farm program? For one thing, since World War II, the farmer's income from all sources has been pushed downward approximately 23 percent, while the income of the nonfarm population has moved upward approximately 48 percent.

Farms families of the Nation, on an average, now have only about 50 percent parity with other groups. That is inexcusable. This has happened under farm programs that were supposed to be approved by Congress and signed into law by Presidents of the United States at a cost of only $40 billion to the American taxpayer.

What else has happened?

Since the Korean war, the number of our families has decreased by 1 million and farm employment by almost 3 million. Meantime, our total population has increased by only 10 million. In the past 13 years it is estimated that farms of 50 acres or less dropped from about 4 percent to 3 percent of total farm acreage. Noncommercial farms, with sales below $25,000 a year, have seen their sales drop from about 45 percent to below 38 percent; whereas farms of more than 500 acres rose from below 81 percent to almost 60 percent. Noncommercial farms and the standard commercial farms, with sales below $25,000 per year, accounted for about 13 percent total farm sales in 1949, but are estimated at only 7 percent in 1968.

During the same period, however, family- type farms, with sales ranging from $2,500 to $25,000 per year, have seen their sales drop from about 82 percent to about 58 percent. The large to giant size farms, with sales in excess of $25,000, have seen their sales drop from 26 percent of total sales to 12 percent.

THE ANSWER IS NEW MARKETS

Why have our programs failed?

Basically, I am convinced, they have failed because they have been based on the negative theory of paying a farmer to curtail production rather than the sound, business-like theory of providing farmers with ample markets for everything they can grow on every acre of land available to them. This bill would reverse that situation. It would assure ample markets, encourage production because of increased demand and create a healthy, agricultural and industrial prosperity the like of which the country has never seen before.

When you produce, through research, a new product, you are actually creating new factories, new transportation facilities, new jobs.

This bill is the first step in that direction. It is my best judgment, based on three years of careful study, that within a relatively few years, the kind of federally sponsored research program, I am here proposing would double the demand for farm products. In a minute, I will give you examples.

And, what I now suggest is that we start with a continuing appropriation of $81 million a year to get this
program under way on a crash basis. Re­
member, we would not be surprised alone cost us almost $1 billion a year.

FOR $1 MILLION A YEAR—WHAT?

What would the American people get for
that million-dollar investment:

First, it would be a new program for the
farmer—a new life of productivity. It would
provide prosperity for him. It would permit
him to do what is an instinct to get everyth­ing he can out of his land.

Second, it would create new jobs. Ob­
viously, the demand for farm labor would
increase. Entire new industries with millions of new jobs
would be developed. Farmers would be able to manufacture new products. The demand for
new transportation facilities—automobiles,
trucks, buses, railroads, airlines—and so forth—
would be tremendous. The demand for
new farm machinery alone would provide an
industrial and labor stimulus almost beyond
our comprehension.

Third, the increase in retail business would
mount into the billions of dollars. Farmers,
laborers, and all producers would need
money to buy the new products they had created.
Every other category of business customer in
the United States would have more money to
spend. It would mean that nearly everything business
has to sell.

Fourth, such a program would, in my opin­
ion, mean the end of a tremendous tax
burden which we gladly bear as long
it
enables us to reduce taxes
substan­
tially and to make it easier to retire the
national debt at a faster pace.

Fifth, it would produce a flood of new and improved products—
fabrics, plastics, building materials, surface
coatings, detergents, dyes, chemicals, and many
others.

By contrast, agriculture spends not over
$375 million on research—about 1 percent of
gross sales, and most of this goes to improve
and increase production. Federal and State
governments spend $190 million of the total,
of which no more than $18 million goes for
utilization research. In other words, about
one-twentieth of 1 percent of the gross sales
of agriculture has been used on research to
find new uses for agricultural products.

Some have said that our 8 million farmers
own $200 billion worth of assets which they
could. But I believe there is general agree­
ment among those who have studied the
problems how the farmers simply cannot do for themselves.

Most of us remember not too many years ago when the production power on the farm
was not much more than 25 percent of the
markets for the production of that 80 mil­
lion acres.

I believe all Senators are familiar with
what we are doing to double for the industry of
a time when it admittedly was in bad shape.
The quick freezing process, perfected in part
through research conducted by our own De­
partment of Agriculture, reversed that eco­
nic trend. Not only was the industry
stabilized, but new demands
for industrial uses for 5 billion additional
oats, rice, sorghum grains and others—each
of which no more than $18 million goes for
research to develop new markets for the production of that 80 mil­
lion acres.

We must throw the full white light of
technical research and development, experi­
mentation, test facilities, pilot plant opera­
tions and American technical know-how into
an all-out effort to discover and perfect new
industrial uses for just the everyday prod­
ucts of our land.

Now, I don't want to be misunderstood about existing research. The Department of Agriculture has been doing some very worth­
while experimental work. Our fine agricul­
tural and technical schools are working at
it. But I believe that the whole scheme of
utilization research plants under Govern­
ment management. Within their limited funds these agencies have been doing
a good job.

But, what I am talking about here is a nu­
merous industries is a major effort, a high
priori ty under the direction of an
administrator or administrative board with
ample funds and the authority to knock
heads together, if necessary, to get the job
done.

It is my best judgment that we would be­
gin to see tangible results of such a program
within a reasonably short time. I believe
that the Department of Agriculture and our
researchers are doing it now through the
knowledge right now that, given a real op­
portunity to carry through, they can find
industrial use for ordinary agricultural by­
products of grain—corn, wheat, rye, barley,
cats, rice, sorghum grains and others—each.

Remember that we produce only about 8 ½
billion bushels now and that in some years as
much as one-third of that amount has been
lost. We have about 120 million acres to produce our present output. Add
another 5 billion bushels to a real and con­
tinuous trend of the end to see the almost fantastic possibilities of this program we are talking about.

The Department of Agriculture and the petroleum indus­
ties have developed, through research programs, ways to make everything from
rubber to clothing materials from sub­sti­tutes.

These research programs have developed
in substantially the same proportion to the
production power on the farm. They are
progress back into research from their profits.
Our most successful industries are those which
have devoted and are devoting more and
more attention to research.

Industry is currently investing more than
$8 billion a year, or 3 percent of gross sales
in research and development. We are seeing a con­
stant flood of new and improved products—
and many of these manufacturers have
other industries.

By contrast, agriculture spends not over
$375 million on research—about 1 percent of
gross sales, and most of this goes to improve
and increase production. Federal and State
governments spend $190 million of the total,
of which no more than $18 million goes for
utilization research. In other words, about
one-twentieth of 1 percent of the gross sales
of agriculture has been used on research to
find new uses for agricultural products.

Now, I don't want to
be ·
agricul­
Our
advocacy committees would cooperate. Con­
sultants might be employed with only per­
scholarships in research are authorized. The
Administrator would be required to report
semiannually to the Congress.

At this point the bill makes additional
provisions for the participation of private industry—indu­
trial Agricultural Products Agency of the
Department of Agriculture may license, at a
fair and reasonable royalty, any person,
fund or corporation to use any process de­
developed by the Agency or to make and sell
under any patent, or application for patent of
the Agency. Such royalties shall be based
upon fair compensation to the Government
for its investment and shall be nondiscrimi­

natory. Whenever the Administrator finds
it in the public interest to do so, he may
grant royalty-free licenses for processes de­
developed under this act. In either case the
Agency may license, at a fair and reasonable royalty, any person,
fund, or corporation to use any process de­
developed by the Agency or to make and sell
under any patent, or application for patent of
the Agency.

After the potentiality so great as to require every bit of
the imagination which has made America
the great Nation it is.

Let me list a few more possibilities:

1. A high protein cattle food that could
consume an additional 150 to 250 million
bushels a year. The production equivalent of
7 1/2 million acres.

2. Metallurgical oils from grain.

3. Oil, a grain derivative, for use in the
manufacture of paints, adhesives, rubber,
and it can

4. Ethyl alcohol, for use in producing
synthetic rubber, from grain. One ton of
rubber would consume 350 bushels of grain. Multiply that by the 900,000 tons of synthetic rubber produced a year and it comes up 315 million bushels of grain, the production equivalent of about 7 million acres.

5. Microba rubber, a natural product, from the grain surplus.

6. Ethyl alcohol from grain to be blended with gasoline. If just 10 percent of the blending could be made from grain, it would require more than 2 billion bushels of grain a year. That alone would absorb about 5 percent of the market.

Now, there are many more potential uses of which we already know. Some say, and many a farmer, that some of these uses would be so great as not to be practicable or competitive. Who knows? Finding ways to reduce the cost, making the uses practicable and the products competitive is just exactly what research programs—programs such as the one we here propose—are for.

I have listed a few of the better known possibilities for new industrial uses which we all know about, but I believe it might be helpful if I should record here, in order, the list of known uses given to me by the Department of Agriculture. The Department has written to me that 11 uses would consume 2.6 to 2.7 billion bushels of grain fully developed by the program here proposed. They are as follows:

1. High protein feeds by fermentation, 150 million bushels a year.

2. Paint from vegetable oil, if 5 to 10 percent of the paint market is reached, 15 million to 60 million bushels a year.

3. Synthetic rubber, 365 million bushels a year.

4. Microba rubber, if 10 percent of the potential market is reached, 25 to 80 million bushels a year.

5. Increased use of starch in paper, 40 million to 100 million bushels a year.

6. Industrial exploitation of oyster shell, 10 million bushels a year.

7. Raising disease-free poultry for export, 15 million bushels a year.

8. New drug plants, 4½ million bushels a year.

9. Hardboard, boxboard, and building board from wheat, 20 to 60 million bushels a year.

10. Development of high amylose corn, 10 million bushels a year.

11. Blending 10 percent grain alcohol with gasoline, 3 billion bushels a year.

There are a great many other possible uses which have been cataloged. The list includes medicinals, toilet preparations, soaps, cleaners, anesthetics, antiafreeze, dyes, varnishes, and many others.

Who knows whether a program such as this may not some day solve the problem of our paper supply, now almost altogether limited to the pulpwod industry? I can foresee the day that we may raise our entire paper supply right on our farms.

Our publishers sometimes get concerned about the shortage or the threat of a shortage of paper. The task group on new and industrial uses has been helped by memorandums from the forest service and other agencies.

We must remember always that what helps any segment of American agriculture helps all of American agriculture, and although I assure you of the co-operation of the Canadian Government, I am pleased to be joined in introducing this bill by the senior Senator from Montana [Mr. Mansfield], the senior Senator from South Carolina [Mr. Snow], the senior Senator from Maine [Mr. Gruening], my senior colleague from Oregon [Mr. Morse], the senior Senator from Montana [Mr. Murray], the junior Senator from Maine [Mr. Manuel], the senior Senator from Minnesota [Mr. Humphrey], the senior Senator from Colorado [Mr. Allott], the senior Senator from California [Mr. United], the senior Senator from California [Mr. Eagleton], the senior Senator from Nevada [Mr. Bible], the senior Senator from Florida [Mr. Holland], the junior Senator from Massachusetts [Mr. Kefauver], the junior Senator from Idaho [Mr. Churcik], the junior Senator from Utah [Mr. Moss], and the junior Senator from Wyoming [Mr. McGee].

It is time to provide that solution by beginning to spend, through such a program as the one I now present today, annual sums of millions of dollars a year that will return us billions upon billions in the years to come.

PAVING OF ALASKA HIGHWAY

Mr. NEUBERGER. Mr. President, I introduce, for appropriate reference, a bill to authorize appropriations for paving the Alaska Highway in Canada, with the cooperation of the Canadian Government.

I am pleased to be jointed in introducing this bill by the senior Senator from Alaska [Mr. Gruening], my senior colleague from Oregon [Mr. Morse], the senior Senator from Montana [Mr. Murray], the junior Senator from Maine [Mr. Mansfield], the senior Senator from Minnesota [Mr. Humphrey], the senior Senator from Colorado [Mr. Allott], the senior Senator from California [Mr. United], the senior Senator from California [Mr. Eagleton], the senior Senator from Nevada [Mr. Bible], the senior Senator from Florida [Mr. Holland], the junior Senator from Massachusetts [Mr. Kefauver], the junior Senator from Idaho [Mr. Churcik], the junior Senator from Utah [Mr. Moss], and the junior Senator from Wyoming [Mr. McGee].
There being no objection, the memorandum was ordered to be printed in the Record, as follows:

MEMORANDUM ON THE ALASKA HIGHWAY

The Alaska Highway was completed under the supervision of the Bureau of Public Engineering and was pushed through the area by engineer troops from March to November 1942. It extended from the end of the railroad at Dawson Creek, British Columbia, to Fairbanks, Alaska, on the coast, and would require major repairs to maintain the first engineering feat of World War II, was officially dedicated. Mr. Gaglardi said.

Mr. NEUBERGER. Mr. President, members of the Eisenhower administration have indicated to me their approval of the aims of my bill. In July 1958, I wrote to the President suggesting that he propose United States-Canadian cooperation in paving the Alaska Highway to the Prime Minister of Canada when they met at Ottawa. The White House has since informed me that this subject was discussed in that conference. I hope that the discussion will serve as a basis for further talks at a later date.

Mr. Gaglardi said.

Mr. NEUBERGER. Mr. President, the 1,331 miles of the Canadian section, which I am personally familiar. During World War II I served in the U.S. Army as aide-de-camp to the late Gen. James A. Conner, of the Corps of Engineers, who was in charge of the construction of the Alaska Highway.

I have traveled many times from Fairbanks to Dawson Creek, through measuring the topography and the primeval forests of the northern section of the construction of the Alaska Highway.

The need for improving that great highway link across western Canada to the United States and Alaska has increased in recent years with the growth of its traffic and tourist travel. I am hopeful that the discussion will lead to the paving of the Canadian section of the Alaska Highway.

Mr. Gaglardi said.
travelers do not care to traverse the whole distance. But if the highway is properly planned and carried out by both countries, under the provisions of the bill offered by the junior Senator from Oregon, we are going to have there great tourist traffic.

I am especially gratified the bill provides for maintenance on a year-round basis at the so-called Haines Cutoff, which provides the only access to an interior highway which southeastern Alaska has. Regrettably, under present circumstances, this is closed most of the year because of snow. If the bill should become law, then we will have a way to go by car from southeastern Alaska to Canada, and to all of the States, on a year-round basis.

Mr. President, I am mindful it was principally because of the hard work and unremitting efforts of the junior Senator from Oregon [Mr. Neuberger] that Alaska about 3 years ago was included for the first time within the Federal-aid highway system. We in Alaska owe much to Senator, and we appreciate his work on our behalf.

Mr. GRUENING. Mr. President, I want to join my senior colleague in commending our good friend, the junior Senator from Oregon, for his repeated evi­dence of interest and support of Alaskan aspirations, and particularly for his reintroduction of the bill to pave the Alaska highway.

For a good many years the United States has devoted an interest in the promotion and development of an inter-American highway, and the Congress has appropriated liberally for that purpose. I believe in recent years the United States has advanced something more than $120 million to assist 5 Central American countries to complete their portions of the inter-American highway. I think it may be fairly stated that no link in that chain would be more important than a highway to connect the 48 States with the 49th State.

A highway connecting the 48 States with Alaska was constructed as a war measure in 1942. In a report to the Congress in 1938, a commission authorized by the Congress in 1938, under a bill sponsored by our able colleague, the senior Senator from Washington (Mr. Macrum­ser), who was then a Representative, it was a commission on which I had the honor to serve. The route which was selected was not the route recommended by either the American or the Canadian members of our commission, but was a route which yielded to war necessity and connected some of the airports which had been built by the Canadian Government the previous year. The United States built that highway. The United States paid for the highway, and operated it as a military measure.

One of the officers who assisted in the construction and operation of the Alaska highway was the same Richard Neuberger who is now helping us here in Washington and who has been of the greatest assistance to us ever since, and is now sponsoring a bill to get the highway paved. He has repeatedly visited Alaska and has become familiar with its problems.

It is clear that unless the highway, which was not paved when it was turned over to the Civil Works Administration after the close of hostilities, and has not been paved by them since it has become theirs, is not paved, its usefulness will be greatly diminished. Those who have traveled over the highway, as I have, realize the traffic will be greatly increased if it is paved, and it is proper that the highway should be paved. It has been of substantial economic benefit to the region where it passes. It has provided a link to Canada and to Alaska, but those benefits could be much greater if the highway is hard surfaced. I am hopeful that such action will follow.

I must express some reservations about the financial terms of the bill. It would be my hope that the Canadian Government would see fit to pay the interest on the construction of this highway, for the great prosperity which that country has achieved. We have paved that portion of the highway which lies within Alaska.

In any event, it is important the highway be paved and that there be a first-class artery to connect the 48 States and the 49th State more efficiently. Therefore, I am happy to be a co-sponsor of this measure but for the repeated efforts he has made on our behalf. As my col­league pointed out, the junior Senator from Oregon was instrumental in finally securing the partial inclusion of Alaska under the old act. We were not interested in the Throughway Act, although we in Alaska are subject to all the taxes added especially to pay for the throughway system, which has enabled the building of highways and throughways in the other 48 States.

I think there is an obligation, in addi­tion to the inherent need for this project, to push the fight to completion and, following the 40 years of discrimina­tion against Alaska and exclusion of Alaska from all Federal-aid highway legislation, the partial inclusion of Alaska under the old act. We were not interested in the Throughway Act, although we in Alaska are subject to all the taxes added especially to pay for the throughway system, which has enabled the building of highways and throughways in the other 48 States.

I think there is an obligation, in addition to the inherent need for this project, to push the fight to completion and, following the 40 years of discrimina­tion against Alaska and exclusion of Alaska under the old act. We were not interested in the Throughway Act, although we in Alaska are subject to all the taxes added especially to pay for the throughway system, which has enabled the building of highways and throughways in the other 48 States.

Mr. NEUBERGER. Mr. President, will the Senator yield to me very briefly?

Mr. GRUENING. I yield.

Mr. NEUBERGER. Mr. President, I want to thank both my able colleagues from our newest State, and greatest State in the Union, for their support of my efforts regarding highways leading to Alaska and within Alaska.

I agree with the Senators completely that Alaska's problem is not simply one of having the Alaska Highway hard surfaced but includes the need to have adequate roads built within this great land where now many of the leading communities are not connected together by any highways whatsoever.

I think we should urge the Senate and the House of Representatives to keep in mind the fact that this Federal Grant-in-Aid from its Treasury, has provided millions of dollars for the Inter-American Highway in Central America. That is a very important and worthy project, but it merely leads to neighboring countries. The Alaska Highway leads to the 49th State of the Union, a State of the Union equal to any other.

If we are going to spend vast sums of money building an Inter-American highway in Central America, there certainly should try to work out an agreement with Canada to hard-surface the Alaska Highway, which leads to Fairbanks and our two air bases and to the largest community in our new State of Alaska. I know our two able Senators from Alaska will work on this project, and will put similar effort to the greater project of securing good roads within Alaska, to tie together the communities of Alaska.

Mr. GRUENING. Mr. President, I thank my friend from Oregon. I agree with what he has said. I am hopeful that before the bill is enacted into law we shall be able to arrive at an understanding with the Canadian authorities and the Canadian Government.

I am happy the Senator brought up the fact that Alaska enters the Union in a unique situation, in which not only a few but the majority of its communica­tions are underground by and the Alaska Highway. If we had a comparable situation in the United States with respect to land transportation—and I say that because Alaskans are very adaptable—we would have one railway system extending from New York to Chicago, perhaps going by way of Cleveland and Detroit or Indi­anapolis. There would be a highway roughly paralleling that railway but taking a slightly different route, going perhaps through Philadelphia, Pittsburgh and Cincinnati. There might be a branch or two extending from that high­way. The capital of the Nation would be unconnected with any other city by highway. There would be a few short stubs of roads going out from it and from the cities of the country it would have to depend on air transportation. That contrast illustrates the situation in Alaska today. Obviously a great deal of money and progress would be de­veloped without highways. Our 48 States would never have developed without them. I am hopeful this Congress will see it fit to initiate a measure or meas­ures which will enable us to compensate for the many years of exclusion from Federal highway legislation—which will enable us to catch up, and to secure a highway system that is proper, just and necessary for the development of Alaska.

AMENDMENT OF SECTION 502 OF GENERAL BRIDGE ACT OF 1946

Mr. CASE of South Dakota. Mr. Pres­i­dent, I introduce, for appropriate re­ference, a bill to amend section 502 of the General Bridge Act of 1946.

This bill is a proposal of the Depart­ment of Commerce and the Department of the Interior to establish bridge clearances over navigable waters. It would result in savings in millions of dollars annually, the Department feels, which will be paid directly to the Federal-aid, State, and local highway programs, and in some degree to railroads and pipelines.
It is expected that the bill would not unduly affect waterway transportation. I believe that the legislation will be of great help as the country progresses with the mammoth highway building program.

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

The bill (S. 1126) to amend section 502 of the General Bridge Act of 1946, and for other purposes, introduced by Mr. Case of South Dakota, was received, read twice by its title, and referred to the Committee on Public Works.

PROPOSED LEGISLATION TO PROHIBIT TRANSPORTATION OF GAMBLING DEVICES IN INTERSTATE COMMERCE

Mr. KEATING. Mr. President, I introduce for appropriate reference a bill to punish the use of interstate commerce in furtherance of conspiracies to commit organized crime offenses against any of the several States. This bill is designed to mobilize the full power of the Federal Government in a drive against organized crime.

Mr. President, I introduce for appropriate reference three additional bills dealing with illegal gambling operations.

The first would prohibit the use of any interstate communication facilities for the purpose of facilitating illegal gambling operations.

The second would redefine the term "gaming devices" in the present law to close loopholes which have developed.

The third bill would make it unlawful to use the mails or broadcasting facilities to promote lotteries and similar gambling activities.

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

The bills, introduced by Mr. Keating, were received, read twice by their titles, and referred, as indicated:

To the Committee on Interstate and Foreign Commerce.

S. 1129. A bill to improve the enforcement of laws pertaining to gambling by suppressing the transmission of certain gambling information; and

S. 1130. A bill to amend section 1 of the Act of January 2, 1951, prohibiting the transportation of gambling devices in interstate and foreign commerce.

To the Committee on the Judiciary.

S. 1131. A bill to prohibit certain acts and transactions with respect to gambling materials; and

S. 1132. A bill to punish the use of interstate commerce in furtherance of conspiracies to commit organized crime offenses against any of the several States.

BASIC RIGHTS OF LABOR UNION MEMBERS AND ETHICAL PRACTICES IN THE CONDUCT OF UNION AFFAIRS

Mr. McCLELLAN. Mr. President, I introduce a bill for appropriate reference.

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

The bill (S. 1137) to provide minimum standards guaranteeing basic rights of labor union members and ensuring ethical practices in the conduct of the work of the labor organization, and reporting of funds by officials of labor unions; to prevent abuses in the administration of union trusteeships; to prevent interference with the right to organize and to bargain collectively; to prevent loss of Government revenues due to evasion of income tax laws; and for other purposes, introduced by Mr. McClellan, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the bill, together with an analysis thereof which I have prepared, be printed in the Record at this point as a part of my remarks.

There being no objection, the bill and analysis referred to, as indicated:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled: That this Act may be cited as the "Labor-Management Basic Rights, Ethical Standards, and Disclosure Act of 1959.

Findings and policy

Sec. 2. (a) Congress finds, from recent investigations in the labor and management fields, many instances of corruption, abuse of trust, tax evasion, disregard of democratic procedures and of the rights of individual workers, and other failures to observe necessary standards of responsibility and trust. Congress finds that current legislation is not adequate for the protection of the members of labor organizations or in connection with any current labor dispute, or otherwise available under Federal law may be disqualified from such privileges and other services, or other benefits of employment, conditions of work, or other matters incidental to employment relationships, and includes further any conference, joint representation, or affiliation with a regional, national, or international organization composed of representatives of such labor organizations or in which such labor organizations are associated or with which they are affiliated.

(2) Labor organization engaged in activities affecting commerce, or which has officers or members engaged in activities affecting commerce, or which represents employees engaged in such activities, or which represents employers, employees, or officers or members who are employed by any employer or in any industry engaged in activities affecting commerce, or labor organization certified under Federal law, acting, or recognized, as the representative of any such industry, or actively seeking to represent any such employees, or receiving or issuing any charter from, or another labor organization which is representing or actively seeking to represent any such employees.

(3) "Affecting commerce" means any activity or industry in commerce or in which a labor dispute or a violation of this Act would hinder or obstruct commerce or the free flow of commerce.

(4) "Labor organization" means any employer or any group or association of employers which is an employer within the meaning of any law of the United States relating to the representation of employees, with respect to any private or public employment of employees, may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any labor organization directly or indirectly in the management of an employer in relation to an employee, except that as used in provisions of this Act subjecting employers to any requirement, liability, prohibition, administrative sanction, or punishment, "employer" shall not include the United States or any wholly owned Government corporation or any State or political subdivision of a State or any employer who is not engaged in any activity or in any industry affecting commerce.

(5) "Employee" includes any individual employed by an employer, and any individual who is employed by an employer in connection with, any current labor dispute, or because of any unfair labor practice, or because of exclusion from membership in such labor organization in any manner or for any reason inconsistent with the requirements of this Act.

"Member", when used in reference to a labor organization, includes any person who has fulfilled or tendered the lawful requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled from membership after due notice and opportunity to proceed and proceedings consistent with lawful provisions of the constitution, bylaws, or other governing charter of such organization.

Definitions

Sec. 3. As used in this Act—

(1) "Labor organization" means a labor organization engaged in activities affecting commerce or the free flow of commerce, or which has any organization of any kind, or any agency or employee representation committee, associated with, or in any way financed by, a labor organization, which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, conditions of work, or other matters incidental to employment relationships, and includes further any conference, joint representation, or affiliation with a regional, national, or international organization composed of representatives of such labor organizations or in which such labor organizations are associated or with which they are affiliated.

(2) "Labor organization engaged in activities affecting commerce, or which has officers or members engaged in activities affecting commerce, or which represents employees engaged in such activities, or which represents employers, employees, or officers or members who are employed by any employer or in any industry engaged in activities affecting commerce, or labor organization certified under Federal law, acting, or recognized, as the representative of any such industry, or actively seeking to represent any such employees, or receiving or issuing any charter from, or another labor organization which is representing or actively seeking to represent any such employees.

(3) "Affecting commerce" means any activity or industry in commerce or in which a labor dispute or a violation of this Act would hinder or obstruct commerce or the free flow of commerce.

(4) "Labor organization" means any employer or any group or association of employers which is an employer within the meaning of any law of the United States relating to the representation of employees, with respect to any private or public employment of employees, may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any labor organization directly or indirectly in the management of an employer in relation to an employee, except that as used in provisions of this Act subjecting employers to any requirement, liability, prohibition, administrative sanction, or punishment, "employer" shall not include the United States or any wholly owned Government corporation or any State or political subdivision of a State or any employer who is not engaged in any activity or in any industry affecting commerce.

(5) "Employee" includes any individual employed by an employer, and any individual who is employed by an employer in connection with, any current labor dispute, or because of any unfair labor practice, or because of exclusion from membership in such labor organization in any manner or for any reason inconsistent with the requirements of this Act.

"Member", when used in reference to a labor organization, includes any person who has fulfilled or tendered the lawful requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled from membership after due notice and opportunity to proceed and proceedings consistent with lawful provisions of the constitution, bylaws, or other governing charter of such organization.
(10) "Officer", when used in reference to a labor organization or any member of a labor organization who is elected or appointed pursuant to and is empowered by such constitution, bylaws, or charter to exercise governing or supervisory powers over such labor organization.

(11) "International labor organization" means an organization of members more than one local or constituent labor organization or the representatives or members of more than one local or constituent labor organization, and which is designed to carry out the following objectives and to guarantee to its members or other governing body of a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected by a general meeting of such organization, and (B) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

(12) "Trusteeship" means control or management of funds, other property, operations, or procedures of one labor organization or another, through any receivership, trusteeship, or other procedure in which a receiver, trustee, or other administrator is vested by such organization with authority normally exercised by any officer or officers, or by the membership, of such other labor organization.

(13) "Secretary" means the expression "Secretary", when used in reference to any board, committee, or other body established pursuant to and is empowered by such constitution, bylaws, or charter to exercise governing or supervisory powers over such labor organization.

(14) "General vote" means (A) in the case of a local labor organization, the concurrence of a majority of votes cast by delegates present at a general meeting of duly chosen delegates, or (B) in either case, a referendum conducted by secret ballot through the mails.

(15) "Secret ballot" means the expression "secret ballot", voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election, referendum, or vote taken upon any matter which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

(16) "Notice" means (A) in the case of a local labor organization, not less than 15 days' written notice to each member at his address as shown by the records of such organization; (B) in the case of an international labor organization, not less than 30 days' written notice to the principal place of business of each local or constituent labor organization entitled to such notice.

(17) "Aggregate compensation" includes all salary, fees, bonuses, commissions, or other remuneration payable or provided as compensation for services performed for, or by reason of the holding of any office in, or employment by, any labor organization or trust in which such labor organization is interested, and any amounts payable as an allowance for quarters, costs, or expenses incurred in the performance of such services or the holding of such office.

(18) "Secretary" means the Secretary of Labor.

TITLE I. RIGHTS TO BE GUARANTEED IN CHARTERS OF LABOR ORGANIZATIONS

Basic rights

Sec. 101. The constitution and bylaws or other governing charter of every labor organization shall contain provisions effectively designed to carry out the following objectives and to guarantee to its members the following rights:

(1) Initial rights.—Every member of a labor organization shall have equal rights and privileges within such organization, including identical voting rights and equal protection of its rules and regulations.

(2) Electoral for membership.—Every provision of this title regarding elections or qualifications uniformly prescribed by a labor organization for membership therein shall be eligible for constitutional or bylawn provisions with respect to such labor organization.

(3) Freedom of speech.—Every member of a labor organization shall have the right to express any views, arguments or opinions regarding any matter affecting the organization or its officers, agents, or representatives, and to disseminate such views, arguments, or opinions either orally or in print, graphic, or visual form, without being subject to penalty, discipline, or interference of any kind by such organization.

(4) Freedom from arbitrary financial exactions.—Rules relating to the rate of dues and initiation fees, or the levying of any special tax, fee, assessment, or any penalties, may be adopted or amended only after due notice and by general vote.

(5) Protection of the right to sue.—No labor organization shall limit the right of any member or officer thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its agents, or any of its officers, or any of its officers' agents, or by the provisions of this title, any labor organization or fund, whether or not incorporated, or by any governing charters of labor organizations, or any local or constituent labor organization shall contain provisions designed to carry out the following obligations and to guarantee to its members the following rights:

(1) Disclosure of votes by delegates.—Any vote by a delegate in its representative capacity shall be recorded in such manner that any person represented by such delegate can determine whether such delegate voted for or against a proposed measure.

(2) Salaries and expense allowances.—Any salaries or general expense allowances of officers, directors, or members of an executive committee or other such governing body of a labor organization shall be established by the bylaws or by resolution of the board of directors or other such governing body of a labor organization or any officer thereof.

(3) Preservation of ballots.—All ballots cast with respect to any matter which is required by the provisions of this Act to be decided by secret ballot, and all other documents relating to such secret ballot, shall be preserved for not less than two years after the date of the such vote.

(4) Affiliated organizations.—No organization or fund, whether or not incorporated, shall be created or financed by the funds of a labor organization. The constitution and bylaws or other governing charter of the labor organization creating or financing such organization or fund, and any labor organization or fund, which is included as an organization or fund shall submit as a part of its annual financial report a schedule of the operations for the past fiscal year, part thereof, of such organization or fund, which schedule shall be patterned after and audited in the same manner as is the annual financial report required by section 202(a) of the act.

(5) Binding.—All officers, agents, representatives, and employees of any labor organization or fund, through which an organization shall be bonded for the faithful discharge of their duties in the handling of such funds, and the bond of each such person in effect during any fiscal year of such organization shall be in an amount, (A) in the case of an international labor organization, not less than the gross income of such organization for the fiscal year of such organization immediately preceding the fiscal year in which the bond is effective, or, if such amount is ever less; or, if there be no such preceding fiscal year, not less than $50,000, and (B) in the case of any labor organization, not less than the total of the dues and other assessments paid by the members thereof during the fiscal year immediately preceding such fiscal year, or, if there be no such preceding fiscal year, in an amount not less than $10,000.

Standards applicable to local and international labor organizations

Sec. 102. The constitution and bylaws, or other governing charter of every labor organization shall contain provisions effectively designed to carry out such objectives and to guarantee to its members the following rights:

(1) Election of officers and members of governing bodies.—The three principal officers, members of the board of directors, and members of the board of directors which is authorized to act as a board of directors (unless selected by the board from its members or a board of trustees, or members of any other governing body of a labor organization, shall be nominated and elected in the manner prescribed in section 202.

(2) Disclosure of votes by delegates.—Any vote by a delegate in its representative capacity shall be recorded in such manner that any person represented by such delegate can determine whether such delegate voted for or against a proposed measure.

(3) Salaries and expense allowances.—Any salaries or general expense allowances of officers, directors, or members of an executive committee or other such governing body of a labor organization shall be established by the bylaws or by resolution of the board of directors or other such governing body of a labor organization or any officer thereof.

(4) Preservation of ballots.—All ballots cast with respect to any matter which is required by the provisions of this Act to be decided by secret ballot, and all other documents relating to such secret ballot, shall be preserved for not less than two years after the date of the such vote.
(7) Records.—Records shall be kept of all actions taken at any meeting, any meeting of directors, trustees, or members of any executive committee (in- cluding any executive committee appointed or elected by directors or trustees) of any labor organization and, in the case of an international labor organization, of all votes taken at any such meeting or at any place of business of such organization, and shall be available for inspection at reasonable times by any member of such organization, in the case of an international labor organization, or by the attorney or other representative of such member.

(8) FINANCIAL RECORDS.—Detailed financial records, including annual audits by an independent certified accountant, showing all moneys received by any labor organization and the sources thereof, and all expenditures of such organization and the purpose thereof, shall be kept and maintained for five years by the chief fiscal officer of such organization at its principal place of business and shall be open to inspection, in the case of an international labor organization, by any member of such organization, in the case of a local labor organization, by any constituent unit, by any member or by any representative of such member.

(9) INVESTMENT OF SURPLUS FUNDS.—Every labor organization shall be entitled at all times to maintain a working capital of not less than $100 in the case of an international labor organization, or $500 in the case of a local labor organization, and not in excess of $1,000, in the case of a labor organization, and not in excess of $25,000, in the case of a local labor organization, or in excess of such sum, other than pension or trust funds, shall be held in savings banks or national banks in the name of the labor organization, and such trust funds, shall be held in savings banks or national banks in the name of the labor organization, and not in excess of $50,000, in the case of an international labor organization, and in excess of such sum, other than pension or trust funds, shall be held in savings banks or national banks in the name of the labor organization, and not in excess of $100,000, in the case of a local labor organization.

(10) COLLECTIVE BARGAINING AGREEMENTS.—Every labor organization shall forward on request to any employee of such employer whose rights as such employee are directly affected by such agreement, and in the case of an international labor organization, be forwarded to each constituent unit which has members directly affected by such agreement; and each labor organization shall maintain at its principal place of business copies of any such agreement made or renewed after ten years prior to the date such agreement expires, and such copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement.

Standards applicable to labor organizations

Sec. 103. The constitution and bylaws or other governing charter of every international labor organization shall contain provisions effectively designed to carry out the following objectives and to guarantee to its members the following rights:

(1) CONVENTIONS.—Every international labor organization shall hold a convention or similar meeting of all its constituent units not less often than once every four years, at which time there shall be elected, in the manner provided in section 102(1), officers members of any governing body required to be elected by section 102(1).

(2) VARIOUS LOCAL ORGANIZATIONS.—Any delegate of elects or designates by the constituent units of an international labor organization, in accordance with the provisions of section 102(2) to represent such constituent unit at any meeting or convention held by such labor organization shall have a vote in all elections, or officers and upon other matters brought before such meeting or convention for action or ratification by vote, which vote shall be numerically equivalent, or proportionate, to the number of the members of such constituent unit as determined by the labor organization, and shall be furnished under the provisions of section 103(8).

(3) NOTICES OF MEETINGS OR CONVENTIONS.—Not less than thirty days prior to any meeting or convention of any international labor organization for the election of officers, dir- ectors, or executive committee members, a notice shall be sent by mail to the secretary of each constituent unit of such labor organization for the time, place, and a detailed agenda of such meeting or convention.

(4) EMPLOYEES AND UNIONS.—Extraordi- binary meetings of an international labor organi- zation shall not be held except upon fifteen days' notice to the secretary of each constituent unit of such organization. Such notice shall specify the nature of the busi- ness desired to be transacted at such extraordinary meeting of the labor organization, and the international labor organization may recognize as the representatives of the constituent units thereof, all employees who were elected or designated as such by such constituent units for the latest regular meeting, unless such constituent units shall have elected or designated as such in the manner provided in section 103(8).

(5) ISSUANCE OF CHARTERS.—Every international labor organization shall issue any charter to any constituent unit of such organization except upon written request therefor and upon written application setting forth facts meeting the membership requirements of such labor organization with respect to constituent units thereof. No charter shall be issued unless or in the name of any organization which, within fifteen days after issuance of any charter, the organization issuing such charter shall be able to determine whether a local labor organization shall contain provisions specifically designed to carry out the following objectives and to guarantee to its members the following rights:

(6) INTERNAL LABOR ORGANIZATION.—Every labor organization shall contain provisions specifically designed to carry out the following objectives and to guarantee to its members the following rights:

(7) REPRESENTATIVES.—No person shall be entitled to vote as a representative of or delegate of a constituent unit of an international labor organization, unless such person has been elected or designated as such in the manner provided in section 103(8).

(8) ISSUANCE OF CHARTERS.—Every international labor organization shall issue any charter to any constituent unit of such organization except upon written request therefor and upon written application setting forth facts meeting the membership requirements of such labor organization with respect to constituent units thereof. No charter shall be issued unless or in the name of any organization which, within fifteen days after issuance of any charter, the organization issuing such charter shall be able to determine whether a local labor organization shall contain provisions specifically designed to carry out the following objectives and to guarantee to its members the following rights:

(9) INTERNAL LABOR ORGANIZATION.—Every labor organization shall contain provisions specifically designed to carry out the following objectives and to guarantee to its members the following rights:

(10) COLLECTIVE BARGAINING AGREEMENTS.—Every labor organization shall forward on request to any employee of such employer whose rights as such employee are directly affected by such agreement, and in the case of an international labor organization, be forwarded to each constituent unit which has members directly affected by such agreement; and each labor organization shall maintain at its principal place of business copies of any such agreement made or renewed after ten years prior to the date such agreement expires, and such copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement.

Standards applicable to international unions

Sec. 104. The constitution and bylaws or other governing charter of every international labor organization shall contain provisions effectively designed to carry out the following objectives and to guarantee to its members the following rights:

(1) CONVENTIONS.—Every international labor organization shall hold a convention or similar meeting of all its constituent units not less often than once every four years, at which time there shall be elected, in the manner provided in section 102(1), officers and members of any governing body required to be elected by section 102(1).

(2) VARIOUS LOCAL ORGANIZATIONS.—Any delegate of elects or designates by the constituent units of an international labor organization, in accordance with the provisions of section 102(2) to represent such constituent unit at any meeting or convention held by such labor organization shall have a vote in all elections, or officers and upon other matters brought before such meeting or convention for action or ratification by vote, which vote shall be numerically equivalent, or proportionate, to the number of the members of such constituent unit as determined by the labor organization, and shall be furnished under the provisions of section 103(8).

(3) NOTICES OF MEETINGS OR CONVENTIONS.—Not less than thirty days prior to any meeting or convention of any international labor organization for the election of officers, directors, or executive committee members, a notice shall be sent by mail to the secretary of each constituent unit of such labor organization for the time, place, and a detailed agenda of such meeting or convention.

(4) EMPLOYEES AND UNIONS.—Extraordi- binary meetings of an international labor organi- zation shall not be held except upon fifteen days' notice to the secretary of each constituent unit of such organization. Such notice shall specify the nature of the busi-
$10,000, or may reasonably be expected during the preceding fiscal year (or may reasonably be expected to exceed $10,000).

(2) The name and title of each member of the board of directors, board of trustees, executive board, executive committee, or any other board or committee of the labor organization;

(3) The name and title of each trustee or other person responsible for the custody or safekeeping of the assets of the labor organization or of which the labor organization is interested;

(4) Aggregate compensation paid the preceding fiscal year or reasonably expected to be paid during such current fiscal year in connection with the labor organization or of which the labor organization is interested;

(5) The name and address of the subordinate organization over which trusteeship has been assumed;

(6) The date of assumption of trusteeship;

(7) The length of period for which trusteeship has been assumed or is expected to be exercised;

(8) The reason such trusteeship was assumed and the reason for its continuance;

(9) What remains to be done before full autonomy of the subordinate organization may be restored and what steps are being taken to remove any remaining obstacles;

(10) Whether any delegates to represent such organization or any of its employees are being elected or are being selected and, if so, how selected, and the authority of such delegates;

(11) Any reports transferred from the subordinate organization to the supervising organization during the period of trusteeship;

(12) Any account of any funds transferred directly from, an employer whose employees such labor organization represents or is otherwise seeking to represent, except payments at market value of securities registered as a national securities exchange under the Securities Exchange Act of 1934 or except transfers to a bona fide employee of such employer, except purchases at market value of securities registered under the Investment Company Act of 1940, or of securities of a public utility company, or of securities of the Public Utility Holding Company Act of 1935, or to any income derived therefrom.

(13) Nothing contained in the preceding subsection shall preclude any labor organization to which this title applies from requiring any officer or employee of a labor organization or group of labor organizations to file a report under subsection (a) to any officer or employee of a labor organization or group of labor organizations, except payments of the kind referred to in section 302(c) of the Labor-Management Relations Act of 1947, as amended;

(14) Any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child has held in, received any income derived therefrom.

(15) Any any labor organization required to file a report under subsection (a), shall file annual financial statements conforming to the requirements of clause (K) of subsection (a) and, annual financial statements conforming to the requirements of clause (K) of such subsection with respect to each trust in which it is interested. Any such annual financial statement conforming to the requirements of clause (K) shall include, for the fiscal year covered thereby, the information referred to in clauses (D), (E), (F), and (L).

(16) If the first statement required by either clause (K) or (L) of subsection (a) is not filed within sixty days after the end of the preceding fiscal year, such statement shall also include a similar financial statement, certified by the principal financial officer of the labor organization or of the trust, as the case may be, showing the assets and liabilities of the labor organization, or of the trust, as the case may be, as of a date not more than ninety days prior to such filing, and showing income received and expenditures made during the period from the end of the preceding fiscal year to such date.

Reports of trusteeships

Scc. 203. Every labor organization which imposes a trusteeship over a subordinate labor organization shall file with the Secretary, signed by the president or other chief executive officer and by the Secretary or other chief records officer of such organization, evidence showing that such trusteeship has been assumed and is exercised in conformance with the requirements of section 305 of this Act, and providing the following information:

(1) The name and address of the subordinate organization over which trusteeship has been assumed;

(2) The date of assumption of trusteeship;

(3) The length of period for which trusteeship has been assumed or is expected to be exercised;

(4) The reason such trusteeship was assumed and the reason for its continuance;

(5) What remains to be done before full autonomy of the subordinate organization may be restored and what steps are being taken to remove any remaining obstacles;

(6) Whether any delegates to represent such organization or any of its employees are being elected or are being selected and, if so, how selected, and the authority of such delegates;

(7) Any reports transferred from the subordinate organization to the supervising organization during the period of trusteeship;

(8) Any account of any funds transferred directly from an employer whose employees such labor organization represents or is otherwise seeking to represent, except payments at market value of securities registered as a national securities exchange under the Securities Exchange Act of 1934 or except transfers to a bona fide employee of such employer, except purchases at market value of securities registered under the Investment Company Act of 1940, or of securities of a public utility company, or of securities of the Public Utility Holding Company Act of 1935, or to any income derived therefrom.

(c) Nothing contained in the preceding subsection shall preclude any labor organization to which this title applies from requiring any officer or employee of a labor organization or group of labor organizations to file a report under subsection (a) to any officer or employee of a labor organization or group of labor organizations, except payments of the kind referred to in section 302(c) of the Labor-Management Relations Act of 1947, as amended;

(d) Any any labor organization required to file a report under subsection (a), shall file annual financial statements conforming to the requirements of clause (K) of subsection (a) and, annual financial statements conforming to the requirements of clause (K) of such subsection with respect to each trust in which it is interested. Any such annual financial statement conforming to the requirements of clause (K) shall include, for the fiscal year covered thereby, the information referred to in clauses (D), (E), (F), and (L).

(e) If the first statement required by either clause (K) or (L) of subsection (a) is not filed within sixty days after the end of the preceding fiscal year, such statement shall also include a similar financial statement, certified by the principal financial officer of the labor organization or of the trust, as the case may be, showing the assets and liabilities of the labor organization, or of the trust, as the case may be, as of a date not more than ninety days prior to such filing, and showing income received and expenditures made during the period from the end of the preceding fiscal year to such date.

Reports of employers

Scc. 204. (a) Every officer, agent, representative and employees of a labor organization (other than a clerical employee as defined by the Secretary), shall file with the Secretary, signed by the president or other chief executive officer, a report listing and describing for the preceding fiscal year or reasonably expected to be paid the duties and responsibilities, in connection with the labor organization or of which the labor organization is interested;

(b) Within thirty days after the occurrence of any transactions or information required by clauses (A), (B), (C), (D), (F), and (H) of subsection (a), the labor organization to which such report pertains shall file with the Secretary, in the same form as required by such subsection, an amendment to its report setting forth such changes.

(c) Any labor organization required to file a report under subsection (a), shall file annual financial statements conforming to the requirements of clause (K) of subsection (a) and, annual financial statements conforming to the requirements of clause (K) of such subsection with respect to each trust in which it is interested. Any such annual financial statement conforming to the requirements of clause (K) shall include, for the fiscal year covered thereby, the information referred to in clauses (D), (E), (F), and (L).

(d) If the first statement required by either clause (K) or (L) of subsection (a) is not filed within sixty days after the end of the preceding fiscal year, such statement shall also include a similar financial statement, certified by the principal financial officer of the labor organization or of the trust, as the case may be, showing the assets and liabilities of the labor organization, or of the trust, as the case may be, as of a date not more than ninety days prior to such filing, and showing income received and expenditures made during the period from the end of the preceding fiscal year to such date.

Reports of employers

Scc. 205. Every employer who shall make or agree to make—

(1) any payment or loan, direct or indirect, of money or other thing of value, or any interest or any equity in any person, listing and describing the for the preceding calendar year or reasonably expected to be paid during the current fiscal year, any interest or any equity in any person, listing and describing the following infor-
(4) any payment to any person pursuant to any agreement or understanding by which such person undertook to provide such employer with the services of an individual, company, agency, or instrumentality engaged in the business of interfering with, restraining, or coercing employees in the exercise of rights guaranteed by the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended, shall file with the Secretary within thirty days after making or agreeing to make such a payment, whichever is earlier, a report signed by the president or other principal officers showing in detail the date and amount of each such payment, and the name, address, and position, if any, of such person to whom it was made, and a full explanation of the circumstances of all such payments, including the terms of any agreement or understanding pursuant to which they were made.

Reports by labor relations consultants

Sec. 206. Every person engaged in providing or furnishing services to an employer engaged in an industry affecting commerce pursuant to any agreement or arrangement, whether oral or written, and whether or not the person to whom such services were rendered is an officer, director, or representative of such employer, shall file with the Secretary within thirty days after making or agreeing to make such a payment, whichever is earlier, a report with the Secretary, signed by the president and treasurer or correspond­ ing principal officers, showing in detail the date and amount of each such payment, and the name and address of the employer concerned, the names and occupations of any employees involved in the transactions, including the terms of any agreement or understanding pursuant to which they were made.

Reports not required in certain cases

Sec. 207. Nothing in section 205 or 206 shall be construed to require any regular officer, supervisor, or employee of any employer to file a report in connection with services rendered to or received from any labor organization or agency or instrumentality providing services under clause (4) of section 205, and a full explanation of the circumstances of all such transactions, including the terms of any agreement or understanding pursuant to which they were made.

Disclosure of information contained in reports

Sec. 208. (a) The content of the reports and documents filed with the Secretary pursuant to the provisions of this title shall be public information, and the Secretary may publish any information and data concerning labor organizations, employers, and labor consultants, which he deems pertinent to the public interest, and may, through any means at his disposal, inform and instruct the public concerning the activities of labor organizations, employers, and labor consultants, and the use to which such information is put. The Secretary may make such information and data available to the public by telephone or otherwise.

(b) The Secretary shall by regulations provide for the inspection and examination, on the request of any person, of the information and data contained in any report or documents filed under this section by him pursuant to the provisions of this title.

(c) The Secretary shall by regulations provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Department pursuant to this title, upon payment of a charge based upon the cost of the copies, or search of the documents, or similar levies, and no moneys of any employer shall be contributed to, or applied to provide the candidacy of any person, or any cause, which is to be determined by a vote of the members of any labor organization, or by the delegates thereof, except that such funds may be utilized to defray the expenses of notices, factual statements, and other expenditures necessary for the holding of an election.

(d) Officers elected by the membership of a local labor organization in any election shall be removed for cause shown by petition of a reasonable number of members of such labor organization, or of information and data for statistical and research purposes,

(3) The Secretary shall by regulations provide for the inspection and examination, on the request of any person, of the information and data contained in any report or documents filed under this section by him pursuant to the provisions of this title.

(4) The Secretary shall by regulations provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Department pursuant to this title, upon payment of a charge based upon the cost of the copies, or search of the documents, or similar levies, and no moneys of any employer shall be contributed to, or applied to provide the candidacy of any person, or any cause, which is to be determined by a vote of the members of any labor organization, or by the delegates thereof, except that such funds may be utilized to defray the expenses of notices, factual statements, and other expenditures necessary for the holding of an election.

(5) Officers elected by the membership of a local labor organization in any election shall be removed for cause shown by petition of a reasonable number of members of such labor organization, or of information and data for statistical and research purposes,
tax payable under such laws by any trust of which such organization is a beneficiary, such tax shall be the same ratio to the amount otherwise payable as the number of days in such taxable year for which the certificate of compliance was in effect for such labor organization and for such organization of which it is a constituent unit bears to the total number of days in such taxable year.

(e) The Secretary shall examine all documents, reports, and financial statements filed by a labor organization under this title, and if he is of the opinion that—

(1) the document, report, or statement thereto or any financial statement, filed pursuant to this title, contains a false or misleading statement or entry of material fact or omission necessary to the full understanding of such statement,

(2) such document, report, or statement fails in a material respect to comply with the requirements of this title, or

(3) there has been a failure to file any amendment to such report required by section 202(b) or any financial statement required by section 202(a) to be submitted in the charter or bylaws or other governing charter of a labor organization, the Secretary shall institute a proceeding to suspend the certificate of compliance of such organization, unless such failure or deficiency is corrected or remedied within such reasonable time as may be specified by the Secretary.

(f) In any case in which, during any taxable year which begins after the effective date of this section—

(1) there was in effect any labor organization or labor organization aggrandized by an order of the Secretary under subsection (d) may obtain a review of such order in the United States Circuit Court of Appeals for the District of Columbia in which the labor organization has its principal place of business, or in the Circuit Court of Appeals for the District of Columbia, or by filing in such court a written petition praying that the order of the Secretary be modified, amended, or set aside. A copy of such petition shall forthwith be served upon the Secretary, and thereupon the aggrieved party shall file in the court a bond or other security for the full amount of any judgment which may be rendered in the proceeding, certified by the Secretary, including the pleading and testimony upon which the order complained of was entered, and the findings and order of the Secretary. Upon such filing, the court shall have power to set aside, modify, or affirm the order of the Secretary. No objection that has not been urged before the Secretary shall be considered by the court, and the grounds for any such objection shall be excused because of extraordinary circumstances. The findings of the Secretary are conclusive as to the existence of a violation, but such fact, if supported by substantial evidence on the record considered as a whole, shall be sufficient to support a judgment for the court for additional and other damages and shall show to the satisfaction of the court the nature and extent of such damages.

(g) If any labor organization shall fail within the period prescribed in subsection (f) and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary or the hearing officer, the court may order such additional evidence to be taken before the Secretary or the hearing officer, and to be received in evidence. A finding by the Secretary may modify his findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and shall file his recommendations, if any, for the modification or setting aside of his original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the provisions of law relating to the United States Court of Appeals shall apply to such petitions.

(h) The Secretary shall enter an order affirming, vacating, setting aside, or modifying any order of the Secretary, if any, for the modification or setting aside of his original order. The Secretary may modify his findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and shall file his recommendations, if any, for the modification or setting aside of his original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the provisions of law relating to the United States Court of Appeals shall apply to such petitions.

(i) The provisions of section 202(b) of the National Labor Relations Act and section 301 of the National Labor Relations Act, or to file with any department or agency of the Government, or to any international labor organization of which it is an affiliate or constituent unit, an affidavit to the effect that the labor organization is in good standing as a corporation or labor organization and for each international labor organization of which it is an affiliate or constituent unit, an affidavit of such labor organization that the labor organization is in good standing as a labor organization and that it is not subject to a finding or order of the Board that it is in violation of any provision of the Act or any rule or regulation thereunder or any provision or standard adopted by the Federal Board to regulate the conditions of employment in the industry in which it is engaged.

(j) In any case in which, during any taxable year which begins after the effective date of this section, there is a certificate of compliance issued under subsection (a), the Secretary may modify his findings as to the facts, or make such new findings, by reason of additional evidence so taken and filed, and shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and shall file his recommendations, if any, for the modification or setting aside of his original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the provisions of law relating to the United States Court of Appeals shall apply to such petitions.

(k) The provisions of section 202(b) of the National Labor Relations Act, or to file with any department or agency of the Government, or to any international labor organization of which it is an affiliate or constituent unit, an affidavit to the effect that the labor organization is in good standing as a corporation or labor organization and for each international labor organization of which it is an affiliate or constituent unit, an affidavit of such labor organization that the labor organization is in good standing as a labor organization and that it is not subject to a finding or order of the Board that it is in violation of any provision of the Act or any rule or regulation thereunder or any provision or standard adopted by the Federal Board to regulate the conditions of employment in the industry in which it is engaged.

(l) In any case in which, during any taxable year which begins after the effective date of this section, there is a certificate of compliance issued under subsection (a), the Secretary may modify his findings as to the facts, or make such new findings, by reason of additional evidence so taken and filed, and shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and shall file his recommendations, if any, for the modification or setting aside of his original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the provisions of law relating to the United States Court of Appeals shall apply to such petitions.
(c) Upon request of the Secretary, the National Labor Relations Board and the National Mediation Board shall make available to the Secretary any documents or records in their custody or possession which the Secretary deems necessary to enable him to carry out the provisions of this section as may be necessary.

(d) Any person may make a complaint to the Secretary to the effect that any other person has, or is about to, engage in any violation of any provision of this Act, or any provision required by this Act to be contained in the constitution, bylaws, or other governing charter of a labor organization, and the Secretary may take such action upon such complaint as he may deem just. Any decision of the Secretary shall be reviewable by any person aggrieved by the decision of the Secretary by any information which he may have concerning such violations to the Attorney General, who shall institute the necessary investigation and criminal proceedings.

Civil proceedings

Sec. 403. (a) The Secretary, or any member or members of a labor organization acting on their own behalf or on behalf of themselves or other persons similarly situated, may, upon showing to the satisfaction of the Secretary that any other person has not complied fully with this Act, bylaws, and regulations as the Secretary may prescribe, bring a civil action in the proper district court of the United States to enjoin and restrain any such violation of any provision of this Act or any provision required by this Act to be included in the constitution, bylaws, or other governing charter of such labor organization, or in violation of any duty or responsibility imposed by sec. 301 or 303 or any other provision of this Act, and to recover such necessary and proper expenses necessarily paid or incurred in connection with such proceeding and a reasonable attorney’s fee, and to enjoin and restrain any such violation of any such provision, duty, or responsibility.

Proceedings to void illegal elections

Sec. 404. (a) Any member of a labor organization (1) who has exhausted the remedies available under the constitution and bylaws of the labor organization or of any parent body, or (2) who has invoked such available remedies without obtaining a final decision within three calendar months after their invocation, may file a complaint with the Secretary to the effect that the action or proceeding was instituted in a good faith effort to con­serve the organization for proper purposes, and the court may, if satis­fied that justice will be served thereby, impose liability for reimbursement of such expenses on any defendant whom the court finds to have acted or omitted to act in disregard of any such provision, duty, or responsibility.

(b) The Secretary shall investigate such complaint and, if he finds probable cause to believe that a violation has occurred and has not been remedied, he shall, within 60 days after the filing of such complaint, bring a civil action in the proper district court of the United States to enjoin and restrain any such violation of any provision of this Act or any provision required by this Act to be included in the constitution, bylaws, or other governing charter of the labor organization in accordance with the provisions of sec. 302 and such rules and regulations as the Secretary may prescribe.

(c) If, upon a preponderance of the evidence after a hearing and any review thereof, the court finds (1) that an election has not been held within the time prescribed by sec. 302, or (2) that such election has been affected in violation of an election, the court shall declare the election. If, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected and the court shall thereupon enter a decree directing the labor organization to act.

(d) An order directing an election, dis­missing a complaint, or modifying an election to be held under the provisions of this Act or of any provision required by this Act to be included in the constitution, bylaws, or other governing charter of such labor organization, or in violation of any duty or responsibility imposed by sec. 301 or 303 or any other provision of this Act, and to recover such necessary and proper expenses necessarily paid or incurred in connection with such proceeding and a reasonable attorney’s fee, and to enjoin and restrain any such violation of any such provision, duty, or responsibility.

(e) If the court declares an election to be void and directs a new election under this section, it shall have the power to take appropriate steps to preserve and safeguard the assets of the organization pending the election.

False misrepresentations, false statements, and destruction of records

Sec. 405. (a) Any person who makes a false statement or misrepresentation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report, or other information required by such section shall be liable to the labor organization to such officer, agent, or accountant for, or imprisoned for not more than $10,000 or imprisoned for not more than five years, or both.

(b) No employer shall make any loan or loan to any officer, agent, representative, or employee of a labor organization or of a subordinate body, not in trustee­ship, which organization is interested, with intent to injure, defraud, or mislead such organization or trust or any member or bene­ficiary thereof, or with intent to obstruct legal process or to prevent inspection by, or to mislead, any person authorized by law to examine or inspect such book or record, shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

Embezzlement of funds

Sec. 407. (a) No labor organization shall make any loan or loans, directly or indirectly, to any officer, agent, representative, or employee of such organization, for any amount which, when added to the unpaid balance of any other loans made by such labor organization to such officer, agent, re­presentative, or employee, exceeds $2,500.

(b) No employer shall make any loan or loans to any officer, agent, representative, or employee of a labor organization by representing or actively seeking to represent his employees.

(c) Any person who shall willfully violate the provisions of this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Counting of votes and transfer of funds

Sec. 409. (a) During any period when a subordinate body of a labor organization is in existence, it shall be the duty of the officers or representatives of the labor organization to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen in the manner prescribed in section 302(a) or (2) to transfer such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trust­eeship. Provided, That the funds retained shall prevent the distribution of the assets of a labor organization in accordance with the provisions of this Act, and the Secretary may enter charter upon the bona fide dissolution thereof.

(b) Any person who shall willfully vio­late the provisions of this section shall be fined not more than $10,000 or imprisoned not more than one year, or both.

Persons prohibited from holding certain offices

Sec. 410. (a) Any person who is an officer, director, trustee, member of any executive body, business agent, manager, paid organ­izer, or paid employee of a labor organiza­tion and who is convicted in any court of the
crime of murder, rape, grand larceny, burglary, larceny, bribery, forgery, perjury, treason, extortion, robbery, arson, violation of narcotics laws, or any other crime involving moral turpitude, or conspiracy to commit any of such crimes, or where he is currently employed or engaged as an executive, director, trustee, member of any executive committee, or any other such governing body, business agent, manager, paid organizer, or paid employee of a labor organization, or in any capacity paid organizer, or paid employee during the period commencing on the date he is convicted of a crime and ending on the date of the final sustaining of such conviction, or (2) in any district in which it is established that a labor organization, in his capacity as such, shall constitute service upon the labor organization.

Any labor organization shall be bound by the acts of its agents. For the purposes of this Act, in determining whether any person is acting as an "agent" of another person so as to make such other person responsible for his acts, the question of whether the specific acts performed were actually authorized or subsequently ratified shall not necessarily be controlling.

(e) Any labor organization may be sued as an entity in the courts of the United States.

Rules and regulations
Sec. 416. The Secretary may promulgate rules and regulations prescribing the form of the reports required under this Act, and such other rules and regulations as may be necessary to effectuate the purposes of this Act and prevent circumvention or evasion of the provisions of this Act.

Title V: Miscellaneous
Effect on other laws
Sec. 501. Nothing in the foregoing provisions of this Act shall reduce or limit the responsibilities of any labor organization or any officer, agent, or employee of a labor organization, or of any trust in which a labor organization is interested, under any Federal law or under the laws of any State, and nothing in this Act shall take away any right or bar any remedy to which members of a labor organization or other persons are entitled under such other Federal law or law of any State.

Conforming changes in other laws
Sec. 502. Subsections (f) and (g) of section 413 of the National Labor Relations Act, as amended, are hereby repealed.

Separability
Sec. 503. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Effective dates
Sec. 504. (a) Except as otherwise provided in this section, the provisions of this Act shall take effect ninety days after the date on which this Act is enacted.

(b) The provisions of section 204 shall take effect with respect to fiscal years of such person ending after the effective date of this Act, or if such person has no fiscal year, with respect to such calendar years as the Secretary may determine, and shall take effect upon the date of enactment of this Act.

(c) The provisions of sections 301, 406, 407(i), and 411 shall take effect upon the date of enactment of this Act.

(d) The provisions of section 410 (a), (b), (c), and (e) shall take effect thirty days after the date of enactment of this Act.

(f) The provisions of section 202(a)(1) which require that copies of the constituted reports of the labor organizations having similar effect shall conform with and contain provisions designed to effectively accomplish the objectives of Title I shall
not apply, in the case of any labor organi-
sation, to any constitutional provision or amend-
etion of such constitution or bylaws or other governing charter of which permit an amendment or modifica-
tion by a convention held for such purpose, until ten days after the hold-
ing of the next such convention held after the date of such constitutional provision or amendment or, if such constitutional provision or amendment was adopted prior to the date of enactment of this Act, whichever is earlier.

ANALYSIS OF S. 1397

TITLE I. RIGHTS TO BE GUARANTEED IN CHARTERS OR BYLAWS

1. Establishes basic rights of individual members of labor organizations by requiring their constitution or bylaws to effectively guarantee (sec. 101):
   (a) Equal rights of the members.
   (b) Freedom of speech.
   (c) Freedom of assembly.
   (d) Uniform qualifications of membership.
   (e) Freedom from arbitrary financial exactions.
   (f) Protection of right of members to institute suits or to initiate administrative proceeding (sec. 804).

2. Provides for (sec. 102):
   (a) General conventions at least once every four years with the time of such convention, and not less than a majority vote of members or delegates.
   (b) Election of officers and trustees for a fixed term, not to exceed five years.
   (c) Election of trusteeships to be established only on request, and those made by internationals must be recognized as representatives of employees under the National Labor Relations Act or any labor organization funds to the labor organizations under which such laws (sec. 501).
   (d) The Secretary of Labor or members of labor organizations affected by violations, may institute civil proceedings to enjoin and to recover on behalf of the labor organization funds wrongfully expended (sec. 403).
   (e) The Secretary may institute proceedings in a United States district court to void elections, upon complaint of members alleging that elections were conducted in violation of the standards set forth in the foregoing requirements, such reports to contain certain specified information concerning the officers, employees, and consultants who receive or agree to receive certain specified amounts of such payments and certain other information concerning their activities (sec. 405).
   (f) Requires reports by labor relations consultants who receive or agree to receive certain payments from employers setting forth amounts of such payments and certain other information concerning their activities (sec. 206).
   (g) Provides for making information in foregoing reports available for public inspection (sec. 206).

3. Establishes fiduciary status for officers, payments to employees or labor organizations or employers to labor organizations or employers to labor organizations for acts of their agents for the purposes of interfering with the exercise of the rights guaranteed under the bill (sec. 404).
   (a) True or false statements in reports or other documents filed under the bill (sec. 405).
   (b) False entry in or destruction or concealment of books or records of labor organizations (sec. 406).
   (c) Embezzlement or other unlawful conversion of funds of labor organizations (sec. 407).

4. The Secretary is empowered to prescribe procedures for removal of trusteeships unless such labor organisations or employers to labor organisations or employers to labor organisations for acts of their agents for the purposes of interfering with the exercise of the rights guaranteed under the bill (sec. 404).

5. Provides for (sec. 405):
   (a) The making of false or misleading statements in reports or other documents filed under the bill (sec. 405).
   (b) False entry in or destruction or concealment of books or records of labor organizations (sec. 406).
   (c) Embezzlement or other unlawful conversion of funds of labor organizations (sec. 407).

6. Provides for making information in fore.

3. Establishes fiduciary status for officers, payments to employees or labor organizations or employers to labor organizations or employers to labor organizations for acts of their agents for the purposes of interfering with the exercise of the rights guaranteed under the bill (sec. 404).

This title contains provisions:
(a) Making clear that it is not the intent of the bill to require labor organizations to comply with the existing provisions of the National Labor Relations Act which would be superceded by provisions of this bill (sec. 502).
(b) Labor organizations whose claims have been denied hereunder (sec. 405) appeal to the National Labor Relations Act which would be superceded by provisions of this bill (sec. 502).
(c) Which certain criminal provisions would take effect immediately, (B) the bill generally
would take effect 90 days after the date of its enactment, (C) provisions prohibiting holding of office by persons convicted of crimes would take effect 90 days after the date of its enactment; (D) provisions requiring inclusion of and compliance with provisions required to be in union constitutions or bylaws would be postponed for periods up to 1 year in the case of locals, or 2 years in the case of internationals, to enable them to hold any necessary conventions for the purpose of effecting necessary changes in their constitution or other governing charter.

Mr. McCLELLAN. Mr. President, the investigations of the Senate Select Committee on Labor-Management Activities in the Labor or Management Field conducted during the past 2 years have conclusively revealed that in some areas and in some unions there have occurred and in many instances there still exist practices of corruption, breach of trust, violence, abuse of power, denial of basic rights and democratic processes to union members, collusion between disloyal management and unscrupulous labor officials, and other improper activities that seriously militate against the interest and welfare of workers, of management, and of the general public.

Legislation to prevent such practices and to correct the conditions resulting therefrom is imperative. Accordingly, I am today introducing the first of two, and possibly three, bills which I shall sponsor designed to prohibit such practices and to correct the conditions resulting therefrom is imperative. Accordingly, I am today introducing the first of two, and possibly three, bills which I shall sponsor designed to prohibit such improper activities, to guarantee basic rights of labor union members, ethical practices, and the disclosure of information regarding union affairs to which union members and the public are entitled.

Mr. President, I make this reference to other bills that I shall introduce because the bill I am introducing today does not cover all of the evils in this field that need legislative attention; and this bill is not intended to do so.

The legislation proposes no proposed amendments to the Taft-Hartley law, nor does it attempt to make revisions in that act. It does not deal in any way with organizational or recognition picketing, unfair labor practices, hot-cargo shipments, nor does it undertake to resolve the no-man's land jurisdictional problem. All of these will be dealt with in follow-up measures which I shall introduce at an early date.

I have elected to follow this course, Mr. President, because the issues involved in the revision of the Taft-Hartley law, organizational or recognition picketing, tight-lipped cartelism, secondary boycott, hot-cargo shipments, and the no-man's land jurisdictional problem are all highly controversial; and, in my opinion, they should be considered separately and not tucked up or down on their respective merits.

The general objectives of the bill I introduce today, as stated in its title are:

1. To provide minimum standards guaranteeing basic rights of labor union members and ensuring ethical practices in the conduct of union affairs; to require disclosure of information to which union members and the public are entitled; to create fiduciary duties and obligations with respect to the administration, disbursement, and reimbursement of funds by officials of labor unions; to prevent abuses in the administration of union trusteeships; to prevent interference with the rights, individually and collectively; to prevent loss of Government revenues due to evasion of income-tax laws; and for other purposes.

These are far less controversial and are more urgently needed than are the contemplated revisions of the Taft-Hartley law, to which I have referred. I feel that the enactment of legislation for these purposes should not be jeopardized by dealing with revisions that can be, and should be, resolved independently on their individual merits and in separate legislative enactments.

I do strongly feel, Mr. President, that bills by hoodlums, gangsters, and racketeers should receive attention at this session of the Congress. They should not by any means be sidetracked or indefinitely deferred. The Congress has the urgent duty to act, and to act at this session, on all remedial legislation needed in the field of labor-management relations.

The Senate, after taking up and disposing of the Taft-Hartley amendments to the Ervin bill, or the administration bill, introduced by Senator Goldwater, should promptly proceed to the consideration of bills dealing with revisions of Taft-Hartley law, cartelization, secondary picketing, hot-cargo shipments, and no-man's land jurisdictional problems. All of these should receive disposition at this session of the Congress. It may be that some conditions that now prevail, the infiltration of criminals and underworld characters in the field of labor-management relations, and the domination and control of labor unions by racketeers and racketeers in some sectors of labor and business, as exposed by the Senate Rackets Committee, cannot longer be tolerated. These conditions must be corrected and the Congress must have the moral and political courage to meet its responsibility accordingly.

Mr. President, I invite the attention and earnest consideration of my colleagues to this measure. It has incorporated in it, in my judgment, all the features and all the provisions which are essential to deal with the segment of the problem which it is designed to cover.

There are other aspects of the overall problem which also urgently need attention. However, those are controversial problems, and they may be used, with cunningly, intentionally, or otherwise, to saddle on a bill upon which possibly 90 percent of the membership of Congress can agree and support and enact, controversial issues which might bring about the defeat or rejection of any legislation in this field during this session of Congress. I see no reason why we cannot separate the issues so that neither will jeopardize the other, and so that the Senate and the House can vote on those proposals which are controversial—and either enact or defeat them—and, at the same time, retain an opportunity to meet the stern duty of extending for 4 more years our laws compelling a period of military service for every qualified young man. This liability has rested on our young men since 1940, excepting one minor gap, and if extended as requested, will mean a whole generation of American boys will be following their fathers into the draft lottery system. Who knows what changes this will mean in our national outlook and character, our national economy, and in what capacities our young men will carry to the unrestrained power of the military over the person? And, particularly, what will be its effect on the second generation growing up under this system?
regain a substantial parity with his contemporaries who did not have to serve.

I submit that we have equally cogent reasons now for restoring this right.

Let us squarely face the fact that the draft will be operating most inequitably within the age group of young men. A draft of the young men in the draft-age group will never see military service. As was concluded in a recent Washington Post editorial February 4, 1959:

"All in all, however, the burdens and obligations imposed vary unequally among the 1,200,000 young men who come of military age each year. Some have their education disrupted or cut short, and many others make no national sacrifice at all."

While physical or mental disability will exclude a large number, others may remove themselves from draft consideration by the voluntary acts of staying in college or becoming fathers. It is doubly unfortunate that these worthwhile reasons for deferment are chiefly available to that smaller fraction, the financially able youth. This passes the burden of military service always a financial handicap, to those who in the beginning are least able to afford it. This is class legislation, unfair and inequitable unless we act to equalize the disadvantage suffered by those who serve.

We must begin a program that will tell people of America that we are not drafting certain of their sons to lose 2 years from their competitive civilian status, but are giving them a challenging opportunity for honorable and patriotic service to their country, which will be suitably recognized.

I ask unanimous consent that the bill lie on the table for 1 week to give those who wish the opportunity of conferring on it.

The PRESIDING OFFICER. The bill will be received and appropriately referred to the Committee on Labor and Public Welfare.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that a brief explanation of the bill be printed in full at this point in the RECORD.

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

EXPLANATION OF GI BILL FOR POST-KOREAN VETERANS

The bill, the Veterans' Readjustment Assistance Act of 1959, has as its purpose the establishment of a balanced program of readjustment assistance for veterans of post-Korean veterans, i.e., persons who first enter active military duty in the Armed Forces between January 31, 1955, and July 1, 1963.

The opening date respecting this class of veterans, January 31, 1955, is keyed to the cut-off date of the present GI bill for Korean veterans. The cutoff date respecting eligibility under this bill, July 1, 1963, is keyed to the proposed new termination date of the Universal Military Training and Service Act, which the Executive has recommended and which the Congress is expected to approve during the session.

Under the bill four major types of readjustment assistance, patterned closely after the aid in the GI bills for veterans of World War II and the Korean conflict, would be made available to post-Korean veterans. These are:

1. Education or vocational training assistance.
2. Vocational rehabilitation training for veterans with service-connected disabilities.
3. Guarantee and direct loan assistance for the purchase of (a) homes, including homes on farms, (b) farms, (c) livestock, machinery, etc., to be used in teaching operations conducted by the veteran.

The four major classes are respectively proposed in sections 2 through 5 of the bill serially and are described below in principal detail.

SECTION 2—EDUCATION AND VOCATIONAL TRAINING

Eligibility: To be eligible for educational or vocational training assistance, the veteran must have served on active duty between January 31, 1955, and July 1, 1963, for 90 days or more, and must have been discharged under conditions other than dishonorable. In the case of a veteran discharged from service for a disability incurred on active duty, additional on-the-job service requirement would not apply.

Length of education or training: The educational or vocational training period would be payable by the veterans administration at a rate of not less than one-half times each day of the veteran's active military service between January 31, 1955, and July 1, 1963, active military service after such date until his first discharge or release from active service succeeding such date. The maximum education or training period to which a veteran could become entitled is 36 months. In computing a veteran's period of service for purposes of determining his period of education or training, there would be an exclusion in determining the period of education sponsored by the Armed Forces.

Kind of training: Eligible veterans may use their educational or training entitlements to pursue the following kinds of training:

1. School courses, both at college and below college level. These courses may be pursued full-time, three-fourths of time, or one-half time.
2. Cooperative courses, combining school and on-the-job training. For the first two cycles, all cooperative courses must be pursued on a full-time basis.
3. Correspondence courses and flight training.
4. On-the-job training: All job training must be pursued on a full-time basis.
5. Institutional on-farm training: All farm training courses must be on full-time basis.

Educational allowances: A monthly allowance, paid directly to the veteran by the Veterans Administration, is the means by which the veteran is assured in the pursuit of a program of education. Veterans enrolling in a full-time program in an educational institution, the education or training allowance would be paid at the rate of $110 a month for a veteran with one dependent, $185 a month for a veteran with two dependents, $160 a month for a veteran with one dependent. Proportionate rates are fixed for allowances concerning less than full-time courses, as well as on-the-job and on-the-farm training. From the education and training allowance, the veteran must meet all of the costs incident to his education—tuition, subsistence, books, supplies, fees, etc.

Expiration dates: Veterans must complete education or training under the bill within 3 years after their separation from service and complete their training within 8 years after separation; however, with respect to personal and family needs prior to the date of enactment of the bill, the 3-year delimiter period respecting commencement of education or training may be extended to a 5-year delimiter period in the event of an extension of the bill. All education or training under the bill would end on June 30, 1965.

SECTION 3—VOCATIONAL REHABILITATION FOR DISABLED VETERANS

Eligibility: To be eligible for vocational rehabilitation training, a veteran must have served on active duty between January 31, 1955, and July 1, 1963, and have a disability which would be an handicap, either individually or more of total disability, and which is
curred in or aggravated by active military service subsequent to January 31, 1955. The general requirement for a discharge under conditions other than dishonorable would apply.

Length of training: The length of training is dependent upon the needs of the veteran. In years of unusual need, loans may be made for up to 3 years. However, upon appropriate findings by the Administrator of Veterans Affairs, additional time may be granted.

Kind of training: The veteran may enroll in an institution offering college training, in an institution below the college level, or in a vocational rehabilitation program, which is designed to aid the veteran's vocational rehabilitation.

Expiration dates: While there is no overall termination date with respect to the vocational rehabilitation program, there are dates beyond which individual veterans may not receive training. Generally veterans may not receive training more than 9 years after discharge or release from active military service.

However, with respect to veterans who become eligible for vocational rehabilitation in years following discharge, training may be afforded such persons until 9 years after the enactment of the bill or 9 years after the date of discharge, whichever is later. In addition, in certain hardship situations, generally applicable expiration dates may be extended up to 10 years. The additional 4-year period would be accorded in cases where (1) severe disabilities exist and if changes in discharges provide eligibility for training; and (2) service-connected disabilities are not established in time to begin and complete training before the general expiration dates.

Subsistence: A vocational rehabilitation trainee is entitled to subsistence. The subsistence allowance of $65 a month if he has no dependents, or $90 a month if he has one or more dependents, is paid to each person. The trainee would receive $75 a month if he has no dependents, $105 a month if he has one dependent, and $120 a month if he has more than one dependent. Operational along with these rates is the following "floor" on combined compensation under the veterans disability laws and the subsistence allowance under this bill: Where the service-connected disability is less than 30 percent, the rate, if the veteran is married, is $65 a month; if he has dependents, $75 a month; if he has one dependent, $115 a month, plus $10 for each child and $15 for each additional child, and $15 for a dependent parent.

SECTION 4—LOANS

General statement: This section would make post-Korean veterans eligible for Veterans Administration guaranteed loans and direct loans similar in type to those available to Korean veterans under existing law. This reasonable and notable distinction between the proposed loans for post-Korean veterans and those already available to Korean veterans is the primary concern of this section.

First, the loan rights of post-Korean veterans would not extend to the business loans and direct loans similar in type to those available to Korean veterans under sections 1813 and 1816, respectively, of title 38 of the United States Code. Secondly, there would not be a special direct loan program for post-Korean veterans. Direct loans authorized by this bill for post-Korean veterans would be subject to the present direct loan laws under which no direct loan may be made after July 25, 1960.

For purposes of eligibility under the present loan program for Korean veterans, the proposed loans for post-Korean veterans would be subject to a guarantee fee in a sum not to exceed one-half of 1 percent of the amount of the loan. The guarantee fee is intended to be used in the accumulation of a reserve fund sufficient to cover any losses that might arise under the program. Loans not being made on or prior to the date of enactment of this bill might be made at the post-Korean loan program altogether self-sustaining. The details of the amount of the fee may be included in a report to the Congress, which may be issued from time to time. The fee would be deposited in a mortgage guarantee fund which would be established under the administration of Veterans Affairs to carry out the purposes indicated above.

Eligibility: To be eligible under the loan provisions of the bill, a veteran must have served on active duty between January 31, 1955, and July 1, 1963, or 90 days or more, and must have died as a result of conditions other than dishonorable. In the case of a veteran discharged from service for a disability incurred on active duty, 90-day service requirement would not apply. The widow of a deceased veteran whose death resulted from active service would also be eligible.

Purpose and conditions of loans: The loans are to be used to enable eligible veterans to purchase (a) homes, including homes on farms, and (b) farm lands, livestock, machinery, etc., to be used in farming operations conducted by veterans. Borrowing institutions or other lending institutions would make the loans, with the Government guaranteeing 50 percent or more of the real estate, or 50 percent of any other mortgage on the real estate. The Government's guaranty with respect to loans made by any non-profit corporation would exceed $7,500, and with respect to other real estate loans could not exceed $4,000, or a pro-rated portion thereof. Loans of both types would be subject to interest rates of not more than 5 percent. The interest rate may not exceed 4% percent per annum. If the proposed Housing Act of 1959 is enacted, the interest rate must not exceed 5% percent per annum.

This bill would not authorize loans for a homestead on residential and commercial property, or 50 percent of any other mortgage on the real estate. The loans would have maturities of not more than 20 years, except in the case of farm realty, the maturities could be for 40 years. Under certain conditions, and in certain rural areas, the Veterans Administration may authorize such maturities.

Expiration dates: Loans may be guaranteed for not more than 10 years after the date of enactment of this bill. If a loan report or application for loan guaranty is received by the Administrator of Veterans Affairs before such date, an additional period of not more than 9 years after the enactment of the bill or 9 years after the date of discharge or release from active military service, whichever is latter. In addition, in certain hardship situations, generally applicable expiration dates may be extended up to 10 years. The additional 4-year period would be accorded in cases where (1) severe disabilities exist and if changes in discharges provide eligibility for training; and (2) service-connected disabilities are not established in time to begin and complete training before the general expiration dates.

kind is being cosponsored in the other body by Representative Louis C. Rabaut, of Michigan. The bill would not affect the levy on restaurant meals.

Hearings were held on August 12, 1957, before the Fiscal Affairs Subcommittee on the Senate Committee on the District of Columbia, but no action was taken, based on the asserted need for District of Columbia revenues. Brown, Massachusetts, with the fiscal expedient is most unfortunate since a tax producing revenue that had been originally anticipated, but rather works a hardship on those who can least afford it. Those who can afford to do so are crossing the District Line to shop in nearby Maryland and Virginia where no such tax is imposed. Those who cannot afford to do this remain behind and bear an added tax of 1% percent. Among the nation's largest cities only in Chicago, Detroit, and St. Louis, other than Washington, is there a tax imposed on food sales by off-premises consumption. New York, Philadelphia, Boston, Los Angeles, San Francisco, Atlanta, and New Orleans, among others, have no such tax.

The tax loss contemplated by this bill is a little more than a tenth of the $20.5 million revenues anticipated under the general 2 percent sales tax imposed in Washington and is only a small portion of the some $75 million revenues anticipated for the District of Columbia under its present budget for fiscal year 1960.

Surely alternate sources of moneys can be found for the purpose of salvaging the food tax on food. No services to its citizens and to the Federal Establishment rendered by the local government need be curtailed by the repeal of this levy. Washington is one of the highest per capita income communities in the country and to impose upon its citizens less able to bear the burden a tax on their daily bread should be by no means a necessity.
The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1139) to amend the District of Columbia Sales Tax Act so as to exempt from tax sales of food for human consumption off the premises where such food is served, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. CARLSON. Mr. President, on behalf of myself, and Senators Morse, Maximson, Neubauer, Curvis, Case of South Dakota, and Jackson, I introduce, for appropriate reference, a bill to amend the Agricultural Adjustment Act of 1938, as amended, which may be cited as the "Wheat Stabilization Act of 1959."

Other Senators may want to be co-sponsors of this legislation; and, therefore, I ask unanimous consent that the bill be referred. -

Mr. BUTLER, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

APPOINTMENT OF DISTRICT JUDGE FOR DISTRICT OF MARYLAND

Mr. BUTLER. Mr. President, Maryland is a State of 2,650,000 people, and for the last 28 years has been served by only two district court judges. In recent years, the caseloads have grown substantially, and the median intervals between the filing and the ultimate disposition of cases commenced in the district of Maryland have increased to 11.2 months, despite the dedicated and conscientious services of Judges Watkins and Thomsen. Were it not for the valuable services of retired Judge Chesnut, the situation would be even more serious.

The urgent need for an additional judgeship in the district of Maryland is dramatically illustrated in statistics submitted by the Administrative Office of the Courts. The average number of civil cases filed in fiscal 1958 in the 259 district judgeships was 236, the average in the two Maryland judgeships was 524; and whereas the average number of criminal cases filed in these judgeships was 109, in Maryland's two judgeships the average was 198. As a result, the number of cases pending in each instance is the reverse of the other, and at the end of fiscal 1958 reached 459, whereas in the average judgeship, only 275 cases were pending.

This backlog of cases would have reached even greater proportions were it not for the fact that 412 cases were terminated per judgeship in Maryland as compared with a national average of 231 terminations per judgeship. This fact alone attests to the quality of the services being rendered by Maryland's district judges.

The State of Maryland can well anticipate a continuing growth in the volume of its judicial business; and if this business is to be accommodated, it is essential that the appointment of an additional district judge be immediately approved. On the other hand, if the caseloads are to swell further and the delays between filing and disposition of cases are allowed to become longer, our entire judicial system will be placed in jeopardy.

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

The bill (S. 1142) to provide for the appointment of a district judge for the district of Maryland, introduced by Mr. Butler, was received, read twice by its title, and referred to the Committee on the Judiciary.

ELECTION TO USE PROVISIONS OF TECHNICAL AMENDMENTS ACT OF 1958 BY CERTAIN SMALL BUSINESS CORPORATIONS

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill to allow certain small business corporations, which had difficulty electing to use the provisions of the Technical Amendments Act of 1958, an additional 30-day period to elect to be taxed as partnerships.

The Technical Amendments Act of 1958, in its subchapter S, allowed certain small business corporations to be taxed as partnerships.

However, some of these corporations had difficulty in meeting the requirements for electing to use the provisions of this subchapter S not later than the 30th day of the first month of its taxable year. Because the Technical Amendments Act of 1958 had not passed until September 1958, it was provided that in the case of a taxable year starting in 1958, before the district of Columbia corporation was allowed to make the election at any time within the 90-day period beginning on the day after enactment. This amounted, practically, that they had until December 2, 1958, to make the election.

Small corporations with a fiscal year beginning October 1, for example, found extreme difficulty in electing the benefits of this act. This difficulty which this amendment will correct can be illustrated in this manner. If a taxpayer had a fiscal year starting on, for example, September 1, which was one day before the date of enactment, he would have until December 2, 1958, to decide whether or not he wanted to make an election to be taxed under the new subchapter S. Since he would have until December 2, 1958, to make this election, he would have until December 1 to file the 1958 return under the new subchapter, this period of time is not unreasonable. If the taxpayer had a fiscal year which started on October 1, however, instead of September 1, he would have only 70 days grace period provided in the act. He would, therefore, have to operate on the general rule of making the election within the first month of the taxable year, that is, before November 1, 1958.

The second taxpayer would have a 31-day grace period for making his election to use subchapter S. There is no reason why these taxpayers in the two cases which I have described could not have the same period of time to use the provisions of the subchapter. I am introducing this bill to correct this situation. My bill will allow these small business corporations which had less than 90 days after the enactment of the Technical Amendments Act of 1958 to make their election, an additional 30 days to make this election.

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

The bill (S. 1145) to allow small business corporations which had less than 90 days after the enactment of the Technical Amendments Act of 1958 in which to make an election under section 1372 of the Internal Revenue Code of 1954 an additional 30 days in which to make such election was introduced by Mr. McGavack; was received, read twice by its title, and referred to the Committee on Finance.

DESIGNATION OF FOURTH SUNDAY IN SEPTEMBER OF EACH YEAR AS INTERFAITH DAY

Mr. KEATING. Mr. President, I introduce for appropriate reference a joint resolution designating the fourth Sunday in September of each year as Interfaith Day. I am especially proud that in New York State the interfaith movement has gained widespread approval and acceptance. Last September marked the 20th annual Interfaith Day celebration in New York City.

I find it particularly appropriate that this resolution be introduced during Brotherhood Week, for the interfaith movement is not dedicated to the brotherhood of man. The brotherhood of man under the fatherhood of God is a fundamental tenet of all religions. It is also basic to our American way of life. Our government of laws, rather than men, is founded upon equal justice for all.

Yet, tragically, we are still faced with events in this great land where religious and moral principles and law, the bedrock of our whole civilization, come under assault from evil and sinister forces.

That a little child should be turned away from a classroom because the color of his skin is different.

That bombings of houses of worship should be turned into contagion by demagogues.

That the apostles of hatred remember this:

They cannot win.

All decent human instincts oppose them. All religious beliefs deplore their aims. The vast majority of Americans deny their principles. The full majesty of the law is arrayed against their purposes.
Let such men find what comfort they can in strange alliances. Let them fight their internal action, their battle for delay and compromise.

The march toward full realization of the human rights of all Americans cannot be stopped. It has quickened tremendously over the last few years.

During this year's celebration of Brotherhood Week let us reaffirm our determination to bring to full fruition the justice and tranquility that are the birthright of all Americans. Only then can we serve our God, our State, and our Nation.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 53) designating the fourth Sunday in September of each year as "Interfaith Day," introduced by Mr. Keating, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth Sunday in September of each year is hereby designated as "Interfaith Day," and that the President of the United States is authorized and requested to issue annually a proclamation calling on the people of the United States, and upon the Congress, to observe such day, and urging the participation of all Americans and all religious groups in the United States, regardless of sect or creed, to participate in the observance of such day by such means as they may deem appropriate.

ERECITION OF STATUE OF TARAS SHEVCHENKO IN DISTRICT OF COLUMBIA

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a joint resolution authorizing the erection on public grounds in Washington of a statue of Taras Shevchenko, the Ukrainian national poet who, inspired by American constitutional democracy, sang to his people of liberty and freedom. Plans for the statue and its location would be subject to approval by the Department of Interior, the Commission of Fine Arts, and the National Capital Planning Commission.

The funds necessary for the erection of this statue would be raised by public subscription. I submit a draft of the enactment of the bill. I have received assurance that there would be little difficulty in securing these moneys from among the many millions of people of Ukrainian descent. Early enactment of this legislation would make possible the dedication of the statue, or its site, in 1961, on the occasion of the 100th anniversary of Shevchenko's passing.

Taras Shevchenko was a bard of freedom. In his early life he recognized George Washington as the model for a national leader, and extolled him to his fellow countrymen as a true hero in their own higher aspirations toward freedom.

Born a serf, on an estate not far from the Dnieper River, in the heart of the Ukraine, in 1814, Shevchenko's ability as an artist was soon recognized by his owner and master, who took him to St. Petersburg, where he apprenticed him to a teacher of art. Shevchenko's talent soon attracted so much attention that it soon attracted so much attention that it soon attracted so much attention that it soon attracted so much attention that it quickly quickened the cultural circles of the court of Nicholas I arranged to secure money to buy his freedom.

He continued his art studies, and in 1840 on his first volume, "The Kobzar" or "Peasant Bard." The collection of poems in this work struck an answering chord throughout the Ukrainian world by their glorification of the Ukrainian people, and the courage and dignity of the nation, with the wretched conditions then existing. He expressed his hopes for the future of his people. Then, in quick succession, there came other poems which expressed and amplified the meaning of the Kobzar.

Shevchenko revisited Ukraine in 1844. In 1845, after completing his course at the Art Academy of St. Petersburg, he went back to Ukraine, and joined a group of young men who, like himself, had grasped the idea of a federation of free Slavic republics, of which Ukraine would be one. Wed., in a year, he was arrested for his poetry, and was sentenced to service in a Russian disciplinary battalion in the Asian steppes, with a special order from the czar that he be not permitted to return to Ukraine until released until 1857, when he was already a broken man. He died in 1861, in St. Petersburg, on the eve of the liberation of the serfs. But until the very end, he had never wavered in his support of the old democratic beliefs of the United States.

The joint resolution (S.J. Res. 54) authorizing the erection of a statue of Taras Shevchenko on public grounds in the District of Columbia, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on Rules and Administration.

DESIGNATION OF DECEMBER 15 OF EACH YEAR AS BILL OF RIGHTS DAY

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a joint resolution to establish December 15 of every year as Bill of Rights Day, December 15 being the anniversary of the date in 1791 on which the first 10 amendments to the Constitution, known as the Bill of Rights, were ratified by the requisite number of States.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 55) to establish December 15 of every year as Bill of Rights Day, introduced by Mr. Keating, was received, read twice by its title, and referred to the Committee on the Judiciary.

SCHOOL CONSTRUCTION ASSISTANCE ACT OF 1959—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of February 9, 1959, the names of Senators Young of North Dakota, Scott, Bush, Mundt, and Allott were added as additional cosponsors of the bill (S. 1016) to authorize a 5-year program for assistance to States in meeting the debt service on loans for
construction of urgently needed elementary or secondary public school facilities for public purposes, introduced by Mr. Morton (for Mr. Saltonstall and Mr. Proctor) on February 9, 1959.

COLLEGE FACILITIES ACT OF 1959—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of February 9, 1958, the names of Senators Young of North Dakota, Scott, Javits, Bush, Mundt, Allott, and Case of New Jersey were added as additional cosponsors of the bill (S. 1017) to assist institutions of higher education to market and retire bonds issued by them to finance the construction of college facilities, introduced by Mr. Morton (for Mr. Saltonstall and Mr. Proctor) on February 9, 1959.

ADDITIONAL SPONSOR OF BILL DEALING WITH DONATION OF SURPLUS PROPERTY

Mr. STENNIS. Mr. President, recently I introduced S. 1017, authorizing the donation of surplus property to certain agencies of the Government, including the Extension Service of the Department of Agriculture. I ask unanimous consent that the Senator from Vermont (Mr. Aiken) be permitted to become a joint author of that bill.

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

STANDING COMMITTEE ON VETERANS' AFFAIRS—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that when Senate Resolution 80, which relates to the establishment of a veterans' committee in the Senate, and which was submitted by the Senator from Kansas (Mr. Schoeppel) on behalf of himself and other Senators, on February 17, 1959, is next printed, my name be added to it as a sponsor.

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

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

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

By Mr. PROXIMATE:

NOTICE OF HEARING ON NOMINATION OF JAMES W. RIDDLEBERGER, TO BE DIRECTOR OF INTERNATIONAL COOPERATION ADMINISTRATION

Mr. FULLER. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate today received from the President of the United States the nomination of James W. Riddleberger, of Virginia, to be Director of the International Cooperation Administration, in the Department of State.

Notice is given that the Committee on Foreign Relations, at the expiration of five days, if not before, and I, in the absence of a quorum, in my name, will, and I, in the absence of a quorum, rule, will give consideration to this nomination.

DEVELOPMENT AND COORDINATION OF WATER RESOURCES

Mr. MANSFIELD. Mr. President, recently, with the cosponsorship of my distinguished senior colleague from Montana (Mr. McCarthy), I submitted Senate Resolution 48, looking to the development of recommendations for a comprehensive legislative program on water resources. In the following days, I received from many Senators expressions indicating that there is an urgent need for such a comprehensive legislative program, in order that the Senate may deal wisely with the complex and critical needs of various sections of the country. Although I shall not at this time burden the Record with the texts of these letters from Senators, many expressed their support of the program and their great interest in the problem of water resources. I appreciate their expressions of support, and I want to assure them that they will be kept closely informed of the progress of this endeavor.

On Monday, February 9, at the distinguished chairman of the Committee on Appropriations, the Senator from Arizona (Mr. Hayden), placed in the Record a letter from the distinguished chairman of the Committee on Interior and Insular Affairs, which read:

To the Senate of the United States:

Mr. President, I have the honor to submit the full text of a study prepared by the Institute of Water Resources of the University of Arizona, which I have examined under the terms of Senate Resolution 48, as to the present and future needs of the Federal Reserve Bank of Kansas City. The study presents an excellent summary of data, water conservation measures are described, and portions of the study are entitled "Water Resources in the United States:"

The importance of a comprehensive legislative program for water resources is, I believe, well exemplified in statements made in an address by Dr. Edward A. Ackerman, a highly qualified scientist, who is executive officer of the Carnegie Institute, Dr. Ackerman said:

Some of the most serious problems of the present, and certainly the most compelling of the future arise from the great versatility of water in serving our life and economy. Multipurpose planning is not an empty bureaucratic term as far as water is concerned. It is clear that the many uses of water must be met with the same supply. Some of the uses always turn out to be in direct conflict with each other.

I ask unanimous consent to have printed at the conclusion of my remarks the full text of Dr. Ackerman's address, entitled "Water Resources in the United States."

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

(See exhibit 1.)

EXHIBIT 1

WATER RESOURCES IN THE UNITED STATES

(Lecture given at U.S. Department of Agriculture Graduate School, February 1957, by Edward A. Ackerman)

There is a familiar aphorism, generally applied to the nomina­tion of persons who move into some position where their influence makes the heart grow fonder. Without question it can also be applied to water. We are leaving a good illustration of its application in the western drought. I am sure that many of you are all too familiar with the data concerning the 2.3 million acres severely damaged and the 26 million acres severely damaged and the 26 million acres
In danger. These figures now are so much a part of the public domain that they could be related by any quiz program contestant. Particularly since the President's trip, the drought has become a national situation. Some States have become the best publicized water resource problem since the Dust Bowl of the early 1930's.

The copious descriptions of the drought dramatically have outlined some properties which might be applied to water resources anywhere. The themes for my discussion here today will be taken from these attributes.

First, the drought has illustrated again the inescapable dependence of all living things on water. It also has illustrated again the variability of the modern environment on water. It has shown that water is distributed unevenly, both geographically and in time. The water is much more favored than others in their receipts of water. Some years, or periods of years, bring more plentiful supply or a more meager supply than others.

Perhaps more than anything else, the drought has brought out the fact that drought is not a natural process as much as they are the result of natural catastrophe. We all know that our ignorance of the natural processes which lie behind the drought. We don't have the scientific vantage point where we can glimpse the grand natural design of the universe.

At the same time more and more people have been attracted by life in the Western United States because of the many amenities of living in the open spaces under a dry climate. Others have shown a high degree of both ingenuity, and hope in the face of their ignorance and our general ignorance. As a nation we have reinforced the gambling instincts of these people, and their methods of water saving systems there can be little doubt that price supports for wheat have had a direct bearing on the condition of the outlook. Both action and water resource problems often are closely connected.

But I am getting ahead of my story. It probably is time that I turned your attention from the absence of water to the things that happen when it is present.

The first time we come to water resource problems we read about, it may be helpful to describe briefly the place that water has in our life, both as a necessity and an asset.

Where there is life there must be water. There is no organism today, plant or animal, which can exist without sufficient water. Even in the driest deserts there is some water, though it is of little use in meeting our most vital need, but also because the water required by life on land has a special nature. Fresh water is essential to it. It also appears to be indispensable to the industrial processes which have been organized on a large scale by civilization. Man. The kind of water that we need for our sustenance is on the interior of the land masses. For instance, ground waters in large amounts may be found under the plains in Oklahoma, the Panhandle Plains, the gulf Southwest, and the Great Basin, which have little use because they are saline or alkaline.

The occurrence of water on land

Not only is most of the earth's water in the oceans, but also it is very erratically distributed on land. Generally speaking, fresh water is available wherever it rains or snows, and rain or snow falls most nearest the sea. Thus that part of the United States generally east of the 100th meridian of longitude have the most abundant water supplies of the country. Between are large parts of the 17 Western States which are very dry and have little water. Some are permanent drought areas, some are arid or sparsely districts, like the section now being publicized.

Furthermore, concentrated water supplies, in which civilized man is most interested, are even more sharply localized. They occur in streams, lakes, ponds, rivers, and other water bodies, which may go on with a long list of familiar common names. The water must be considered as an asset, and not all of it is usable in meeting these great needs. In addition, it varies extremely in its geographical distribution.

A glance at any map of the world shows readily that there is a vast amount of water on the surface of the earth. Ninety-three percent of all the water on the surface of the earth is in the seas, yet none of it is usable as water. This is because of our own special needs. Our water is used for domestic, industrial, agricultural, and recreational purposes.

In them there probably is an enormous amount of water must be available for the needs of our economic system. It is an essential part of our economy, and for the land animals and plants on which it depends.

Don't be confused and sometimes contradictory plans have been made with regard to the uses of water. For example, water is used as a coolant, solvent, flotation medium, energy transfer agent, diluent, and in other ways. In short, our industry, like life itself, would not exist without water. Water is the most used material moving through our factories.\n
WHERE MOST WATER IS FOUND—THE SPECIAL NATURE OF HUMAN REQUIREMENTS

To meet these varied and great demands an enormous amount of water must be available constantly. Not all water is the same, and not all of it is usable in meeting these great needs. In addition, it varies extremely in its geographical distribution.

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than anything else this Nation has prob-
lems with water. Even the sparsely settled United States is being rapidly filled with people. Our pop-
ulation has doubled since 1900. Within 25 years we will have added another 55-60 mil-
lion people. Since we use water at the rate of about 145 gallons per person per day we can anticipate direct new water consumption of at least 9-10 billion gallons a day by 1975 for people who are not yet with us. All this by people living in a land where living population have been accustomed by an accelerating rate of water use. Since 1900 the rate of water use has increased about threefold, and over the same pe-
time the population has doubled annual water consumption has quadrupled. Tempo-
dary shortages and underdevelopment in a basic growth situation of this kind are al-
most to be expected.

We have added water problems because civilized men insist upon living where water is not. In the United States we have developed a growing tendency to live in and to farm in those areas within our country where water is scarce. The growth of the West, and especially of California and the South-
west, has been rapid. Between 1930 and 1950 the population of the United States as a whole grew about 25 percent. That of nine Far Western and Southern States grew by 55 percent. In the Southwest for defense activities is exploited, we create water supply and water develop-
ment problems deliberately.

Even before concern about the drought area arose the water problems which the West faces became serious in the eyes of the U.S. Public Works Commission. The Nation to one of the largest water development projects ever planned, the $700 million Upper Colorado project. Another great Federal project is contemplated for Arizona, while the $700 million Columbia Basin project in the State of Washington now is nearing completion. The State of California is commencing work on a 1.6 billion program for the collection and move-
ment of water within its boundaries. There are many lesser works—completed, under construction, or planned—which are not even mentioned here. Water development is needed in regions where water is naturally scarce. Of the drought we cannot fail to get pro-
posal for still other works of considerable cost.

Water problems also are created by our increasing tendency to concentrate in dense settled areas. The United States is becom-
ing more and more an urban Nation, and with each step in that direction a water problem is created. Water in sufficient quan-
tities to serve cities of hundreds of thou-

The President's Materiales Policy Commis-
sion estimated a near trebling of industrial water use in 1975 as compared to 1955. The Commission considered the present prospective consumer of water, probably ac-
counting for three-fifths of American water use, to be one with the ability indefinitely into the future. To the Commission seriously underestimated ir-
gitation demands, their forecast of industrial water use in the future. But we do have within our past tendency to neglect it in development. As natural water areas are occupied, population grows, and work hours diminish further, the need for positive recreational planning in water development will be imperative.

The costs of future water development are staggering. And it is difficult to appraise, but very real in spite of our past tendency to neglect it in development. As natural water areas are occupied, population grows, and work hours diminish further, the need for positive recreational planning in water development will be imperative.

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control, water recycling, long-distance transpor­
tation of water, judicious industrial lo­
cation, and careful multiple purpose plan­
ing could enable us to meet any problem to­
as much as $150 billion more to the water facilities investment. Our annual water supply bill alone is on the order of $38 billion. Every business and every citizen, if only through taxes levied by city, State, and Nation, has a stake in the way we use and develop water.

Already we have made future water sup­ply development for many of our needs. You have not had the opportunity to consider a purely planned location of urban settlement and industry, by single purpose water planning, by indiscriminate urban sprawl, by disposing of the most expensive lands to irrigate in the Nation (as in the case of the Great Plains) and by building industry, trade, and agriculture on "mined" water (as in southern California, possibly the southern High Plains in Texas), and by legal restrictions on the movement of water across States Lines.

There is a second pertinent and impor­tant question. In view of the very significant differences in natural water supply throughout the West, which we have already considered, how can we be encouraged to develop further? That is, how far should we go in transporting water into and beyond surplus areas, to those which are in apparent need? With the technology of the pass, there rarely has been question as to the desirability of transporting water from one surplus locality to an area where it can be used more usefully and economically. Throughout the West, for instance, the transportation of water from mountain catchment areas to arable alluvial lands lying beneath and adjacent to the good seasonal rain that falls where it is needed. One study showed that the potential for irrigating 20 percent of the country right now could be quite economically feasible. The Los Angeles Basin and the High Plains are examples of this. In southern California, already have been built on water transported over long distances. Suppose that it would be highly advantageous to take some of the water of the Great Lakes drainage, or from the middle or upper Mississippi, and ship it to Texas. Assuming that it were technically and eco­nomically feasible, which it well could be, there is likely to be formidable legal bar­riers to such movements. The locations of our water and our technology are such that we find it difficult to move water even within some large drainage basins. Legal restrictions on water movement pre­vented our difficult problem of the economic development in the future. Our State boundaries have very little relation to drainage, so that we have no formal or geographic water deposits. Accordingly, where water has been scarce, States have arrived at negotiated cooperative arrangements to meet the problem. These water or streamflow divisions may have some relation to the economi­cally most profitable use of the water. Often, however, they do not.

Up to the present such compartmentaliz­ing of our rivers mainly has been restricted to the West. It now appears that it may be only a few years before similar negotiations are necessary in the Eastern States. The farmers in the Western States are concluding will have serious consequences for the future cost of water development wherever adequate supplies now exist.

If we cannot obtain water from the sur­face, you may say, why not draw it from the ground? We have been doing that to an extent. This is what some parts of the country are doing, like southern Arizona, the High Plains region of Texas, and many smaller basins of the nation. The net result is that we are inter­esting further question as to what we should do, and how what we do will affect the cost and availability of water. But it is clear that if sub­sequently are in the mineable class, with little if any water replacement from rain or other atmospheric source, we can hardly expect that people in them probably should not remain eco­nomically sterile because it has a limited life! What sort of agricultural, and com­mercial growth should be based on such water? How closely should the develop­ment of this water be tied, financially and otherwise, to development of more secure supplies? Encouragement or even tolerance of development which gives maximum im­mediate profits to some can be very costly in the long run.

In dealing with such problems we are technically fortunate. Our vision need not be limited by our present techniques, or even by our present water resources. Regional water modification and desalinization are two examples of technical possibilities within the longer range view.

Weather modification or cloud seeding experi­ments and commercial efforts are already well under way to increase snowfall where it is needed. One study showed that about 20 percent of the country currently could be target areas for scientific rainmakers. Temperature, cloudiness, and precipitation across the nation, present weather modification methods is much in doubt. However, the boldness of concept and the scale of effort now being undertaken should make it possible for something to watch, even if it is ambitious and we cannot yet plan upon it.

Work toward desalinization is just as bold an idea, although a more modest effort. This is the removal of mineral substances from salty water. The eventual develop­ment of a process which may freshen brack­ish water by solar distillation, by use of ion exchange or another physical method now seems promising. The water produced by these experiments and commercial efforts are considered good sense. These water or streamflow divisions represents a substantial average of development, by indiscriminate withdrawal for perhaps 30 years, in the man­ner in which we are now doing our business. We have not yet decided what the social and economic implications of such a policy and what would be the benefits and costs of our actions. If we continue to use water without a base or a foundation, the withdrawals might support only very modest growth.

We also look for more water outside the region, importing it from regions of known and likely surplus. This is techni­cally feasible within the framework of im­moral legal handicaps to realizing such plans. Regional and State competition for water will be great enough to limit this use of additional water for the drought area sharply.

Were it possible, the best source of all would be areas where concentrated supplies can be made use of. Regrettably, very little, we need the water most during the period of drought. But we can also do some things where they might need a very special type of cloud. Very few, if any, seeding clouds appear in the drought area without a drought period. The rainmakers are as helpless as the rest of us in this situa­tion.

This is the list. We may conclude that substantial additions to the usable water supply may be made in the drought areas, possibly eliminating drought-period dis­asters. For all of these postponements, we may have some relation to the economi­cally most profitable use of the water, if not by the same people in the same places and the same activities as in the immediate past. The improved water supplies will be effective only where concentrated supplies can be made use of. This is on irrigable land, where we can get water from the rain itself, and from a few other places. We can, in large quantities, import water from regions of known and likely surplus. This is techni­cally feasible within the framework of im­moral legal handicaps to realizing such plans. Regional and State competition for water will be great enough to limit this use of additional water for the drought area sharply.

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not—the gambling odds faced by the farmer when he breaks the Plains with his plow. If we first seek adjustment sorts of ruins—two is the work of time; the other of men."

**EXHIBIT 2**

[From Federal Reserve Bank of Kansas City Monthly Review, February 1959]

**WATER AVAILABILITY: A DISTRICT PROBLEM?**

In an article in the December issue of this Review, it was pointed out that a comparison of aggregate water use and aggregate water consumption leads to the conclusion that water shortage for the United States as a whole may not be so imminent as is often implied by writers on the subject. On the other hand, it was also suggested that such a highly aggregated comparison yields conclusions of a severely circumscribed utility since the geographical distribution of the water supply may be of such a nature as to confound with such regional goals as the development of industry, residence in climates offering superior amenities of life, and regional development. Thus, it was suggested that a regional approach to the problem is highly desirable since it is not quite so subject to the distortions of such an aggregated analysis. For this reason, as well as because of the interest it may have for individuals and businesses residing in the 10th Federal Reserve District some of the techniques used in the earlier article will be applied to an analysis of the water problem in the district. As the earlier article indicated, by far the largest portion of the district is composed of an area in which annual precipitation is exceeded by the amount of evaporation and transpiration which would take place if water were freely available. Thus, the major portion of the district may reasonably be considered to have a dry climate. When this information is considered in conjunction with the fact that aridity often spawns types of uses which consume a large proportion of the water intake, one might well hypothesize that comparisons of water use and water availability would turn out much less favorably for the district than for the United States as a whole. The following analysis, which relates to the six district States shown in table 1, demonstrates that this is, in fact, the case.1

**TABLE 1.—Average annual rainfall and average quantity of water deposited per day—6 District States**

<table>
<thead>
<tr>
<th>State</th>
<th>Average daily amount of water deposited (inches)</th>
<th>Average annual amount of water deposited (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado</td>
<td>18.25</td>
<td>58,98</td>
</tr>
<tr>
<td>Kansas</td>
<td>27.12</td>
<td>101,82</td>
</tr>
<tr>
<td>Nebraska</td>
<td>27.77</td>
<td>91,79</td>
</tr>
<tr>
<td>New Mexico</td>
<td>15.90</td>
<td>58,98</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>31.20</td>
<td>101,82</td>
</tr>
<tr>
<td>Wyoming</td>
<td>18.95</td>
<td>58,98</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>444,69</td>
</tr>
</tbody>
</table>

1 Computed at the Federal Reserve Bank of Kansas City.

**DISTRICT WATER AVAILABILITY**

As can be observed from table 1, the average annual rainfall of the six district States is considerably lower than the national average of 30 inches. In fact, only Oklahoma and a portion of the plains States receive water in amounts as large as the national average. This situation is reflected in the fact that, whereas the land area of these States constitutes about 22 percent of the U.S. area, the total water deposited on them constitutes only about 13 percent of the U.S. total. As indicated in table 1, the average daily amount of water deposited by the district States is approximately $45$ billion gallons. If it were to be assumed that the proportion of water available for evapotranspiration, runoff, and present consumptive uses is similar for the United States as a whole, the surface net resource over the district would consist of roughly equal to evapotranspiration due to the relatively low atmospheric evaporative demand or intake. Consumption refers to the difference between evapotranspiration and the various consumptive uses of man than is true of the Nation as a whole.

It should be noted that the conclusion of the above paragraph is consistent with the observation (see tables 2 and 3) that a considerably higher proportion of total water use for irrigation in the district is consistently with the relatively low atmospheric evaporative demand or intake. Consumption is defined as water use, extending over the district, as noted in table 1, is 10.00 for the year. As indicated in table 1, the average daily amount of water deposited by the district is approximately 54 billion gallons. If it were to be assumed that the proportion of water available for evapotranspiration, runoff, and present consumptive uses is similar for the United States as a whole, the surface net resource over the district would consist of roughly equal to evaporative demand due to the relatively low atmospheric evaporative demand or intake. Consumption refers to the difference between evapotranspiration and the various consumptive uses of man than is true of the Nation as a whole.

If it is assumed—in accordance with the situation prevailing at the national level—that approximately two-thirds of the gross water supply passes out of the district during relatively brief periods of heavy runoff, some 20 billion gallons per day would remain for use during the greater part of the year. Again, drawing upon the national relationship, it is assumed that one-half of the remaining supply must be reserved for the disposal of domestic and industrial wastes, salinity control, and navigation, a supply of about 10 billion gallons per day remain for future development in domestic, industrial, and irrigation uses. The application of ratios drawn from national data in the last two steps of the analysis of district water supplies is necessary to determine the amount of water which the district would expect the rate of rapid runoff to be higher in the district than nationally. This is due to the fact that a large share of the district's rainfall is deposited during heavy storms and also that the watersheds of the
This, of course, more nearly represents the maximum availability of water in the district rather than the probable availability since it neglects the fact that further measures may be adopted to increase the irrigation potential of the Western States—at least in the western part of the district—could result in serious disagreement between water users in the States or nations. This problem would present itself in extreme form in the case of the Rio Grande basin. When one excludes the 60,000 acre-feet of water which the United States has agreed to deliver to Mexico annually and the water committed to interstate compacts, it is correct to say that essentially all the water produced in the upper Rio Grande sub-basin above Fort Quitman, Tex., is, on the average, consumed in it.¹

## WATER AND DISTRICT DEVELOPMENT

If the calculation which has been used to estimate the potential amount of water available in the district is approximately correct, what may be said concerning the probability that water will serve as a limiting factor in the economic development of the region? This question is analyzed in reference to two basic projections of water use. The expected amount of water use in the District will rise in the same proportion as that projected for the United States as a whole for the two time periods if district water use will rise in the same proportion as that projected for the 17 Western States. For each of these two projections, three alternative patterns of water use will be analyzed: (1) a pattern similar to that shown in the district in 1950 and in the United States in 1950; (2) a pattern similar to that projected for the United States in 1975; and (3) a pattern similar to that projected for the 17 Western States in 1975. Pattern I represents high irrigation use, pattern II intermediate irrigation use, and pattern III low irrigation use. Since pattern II represents low irrigation use, and pattern III represents intermediate irrigation use of water in the district in 1950, it will be assumed that the rate of depletion per unit of water diverted is two-thirds for irrigation and one-third for domestic and industrial uses.²

As table 4 indicates, if the use of water in the district grows at the same pace as projected nationwide, the rate of diversion will almost double between 1955 and 1975. The degree to which the consumption or depletion of district water resources will depend heavily upon the distribution of increased diversion as between alternative uses. In general, the distribution of diversion between irrigational and non irrigational uses is 9:1, except that the 1975 distribution of water between irrigational and non irrigational uses in the district was assumed equal to that projected for the 17 Western States in 1975. See Heinrich J. Thiele, "The Water Problem in the West," Western Business Review, the College of Business Administration, University of Denver, August 1958.

One should be clear at this point that the knowledge of water consumption is somewhat more clear when viewed from a regional rather than a national perspective. It is by no means clear that evapotranspiration or the evaporation of water in a product constitutes a net reduction in the available quantity of water. Evapotranspiration over the land areas in the western United States is a source of rainfall. A significant proportion of the water evaporated or transpired over a large land mass is likely to return to that land area in the form of precipitation. Similarly, water embodied in products is likely to find its way back into the water supply by way of sewage discharge or other means. Obviously these problems of concept are less severe the smaller the area under consideration.

the calculations in this article, it will be recalled, are based upon depletion. Even if measures were taken to reduce industrial depletion, the problem of transmigration could not be significantly reduced in either pattern I or pattern III by such conservation measures because the predominant weight of irrigation in these patterns. Although certain measures, such as substitution of concrete pipes for open ditches and chemical retardation of evaporation from reservoirs, seem feasible for irrigation as water becomes more scarce, irrigation will undoubtedly, because of its very nature, remain a relatively high-water-use industry.

CONCLUSION

The rather crude analysis presented above appears to confirm that water conservation measures are a matter of legitimate concern in large parts of the 10th district. Conservation may be brought about in two ways: (1) More efficient use of water in existing types of activities, and (2) the substitution of less water-consuming activities for more water-consuming activities, i.e., structural shifts in the economy. The first possibility is primarily a matter of engineering and the second, of economics. If the problem of water conservation within a region is to be approached intelligently, it is essential to obtain a broad understanding about economic questions such as: (1) In what uses is water most productive when measured by some reasonable criterion such as maximization of the production or employment opportunities in an area; (2) is the structure of the economy evolving in such a fashion as to make more or less productive use of water; and (3) could industries displaying a high degree of productivity in terms of water be operated successfully in the area?

FOREIGN POLICY BEGINS AT HOME

Mr. WILEY. Mr. President, we are accustomed to think of the foreign policy of the United States as being designed to meet conditions and dangers which arise beyond our borders. The threat from international communism, the awakening of the demands of peoples in underprivileged lands, the pressures from new nationalism is today the subject matters of foreign policy.

We are now increasingly aware of the interrelationship between what we do here as a nation and our ability to project our influence abroad. And the establishment of an adequate defense posture. Without a sound military establishment and a military strategy adapted to the needs of a rapidly changing technology and world situation, we cannot expect to continue as leader of the nations of the free world.

I believe that the people of this country have taken little account of the interconnection between our Federal fiscal policy and the conduct of our relations with other countries. The Federal budget, for instance, contains many items of crucial significance in foreign policy, the trade deficit for instance is an economic relation.

In 1949, the magazine Newsweek published this statement: Inflation is a form of hidden taxation which is almost impossible to measure.

H. W. Prentiss, Jr., chairman of the board of Armstrong Cork Co., stated in a speech delivered in September 1948: No civilized country in the world has ever voluntarily adopted the extreme philosophy of either fascism or communism, unless the middle class was first liquidated by inflation.

Mr. President, let us ask ourselves a few questions. For instance, what is the number of owners of U.S. bonds? It is estimated that there are 40 million holders of savings bonds and marketable securities.

As of December 1958 there were 112 million life insurance policyholders.

Approximately 2 million persons are receiving annuities and regular payments from life insurance contracts.

Approximately 1,250,000 persons are receiving regular payments from private retirement plans.

As to the beneficiaries under social insurance and related programs, I prepared a table and asked unanimous consent that it be printed in the Record.
<table>
<thead>
<tr>
<th>Risk and program</th>
<th>1940</th>
<th>1941</th>
<th>1942</th>
<th>1943</th>
<th>1944</th>
<th>1945</th>
<th>1946</th>
<th>1947</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount of benefits (in thousands)</td>
<td>$1,560,259</td>
<td>$1,620,179</td>
<td>$1,684,955</td>
<td>$1,734,731</td>
<td>$1,785,511</td>
<td>$1,836,283</td>
<td>$1,887,053</td>
<td>$1,937,825</td>
</tr>
</tbody>
</table>

| Old-age retirement | 320,472 | 320,965 | 320,965 | 320,965 | 320,552 | 320,552 | 320,552 | 320,552 |
| Railroad retirement | 83,542 | 83,542 | 83,542 | 83,542 | 83,542 | 83,542 | 83,542 | 83,542 |
| Other Federal contributor | 710 | 710 | 710 | 710 | 710 | 710 | 710 | 710 |
| Federal noncontributory | 30,110 | 30,110 | 30,110 | 30,110 | 30,110 | 30,110 | 30,110 | 30,110 |
| State and local government retirement | 163,005 | 163,005 | 163,005 | 163,005 | 163,005 | 163,005 | 163,005 | 163,005 |
| Veterans' program | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 |

| Old-age, survivors, and disability insurance | 5,271 | 5,271 | 5,271 | 5,271 | 5,271 | 5,271 | 5,271 | 5,271 |
| Railroad retirement | 1,488 | 1,488 | 1,488 | 1,488 | 1,488 | 1,488 | 1,488 | 1,488 |
| Federal civil service | 8,408 | 8,408 | 8,408 | 8,408 | 8,408 | 8,408 | 8,408 | 8,408 |
| Other Federal contributor | 1,468 | 1,468 | 1,468 | 1,468 | 1,468 | 1,468 | 1,468 | 1,468 |
| Federal noncontributory | 30,110 | 30,110 | 30,110 | 30,110 | 30,110 | 30,110 | 30,110 | 30,110 |
| State and local government retirement | 16,000 | 16,000 | 16,000 | 16,000 | 16,000 | 16,000 | 16,000 | 16,000 |
| Veterans' program | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 |

| Disability: Old-age, survivors, and disability insurance | 450,154 | 450,154 | 450,154 | 450,154 | 450,154 | 450,154 | 450,154 | 450,154 |
| Workers' compensation | 120,000 | 120,000 | 120,000 | 120,000 | 120,000 | 120,000 | 120,000 | 120,000 |
| Railroad retirement | 30,524 | 30,524 | 30,524 | 30,524 | 30,524 | 30,524 | 30,524 | 30,524 |
| Federal civil service | 12,061 | 12,061 | 12,061 | 12,061 | 12,061 | 12,061 | 12,061 | 12,061 |
| State and local government retirement | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 |
| Workers' program | 30,524 | 30,524 | 30,524 | 30,524 | 30,524 | 30,524 | 30,524 | 30,524 |
| Railroad retirement | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 |
| Federal noncontributory | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 |
| State and local government retirement | 15,000 | 15,000 | 15,000 | 15,000 | 15,000 | 15,000 | 15,000 | 15,000 |
| Veterans' program | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 | 19,170 |

As of October 29, 1958, there was $97.4 billion in time deposits in commercial banks, mutual savings banks, and postal savings systems.

The market value of shares on the New York Stock Exchange on December 31, 1957, was $195 billion; on December 31, 1958, it was $276 billion, or an increase of $81 billion.

As all of us know, the recession of 1958 did not last very long. Happily, we have now made up most of what has been lost. Our output has returned to a rate of just over $450 billion a year. The short duration of the recession and the quick recovery demonstrate the resilience of our economy.

Now that production and employment are moving upward, the concern of economists again turns to the maintenance of orderly growth. The problem again becomes one of countering the continuing underlying inflationary tendencies in the economy. A vigorous economic progress must be accompanied by a stable dollar.

Every economic group in our society must begin to do its part in the battle against inflation. The consumer should do his shopping wisely. The businessman must fight rising costs imaginatively. Labor unions must play their role responsibly. In other words,
Mr. WILEY. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered; and the Senator from Wisconsin is given 3 minutes.

Mr. WILEY. Mr. President, I know that the American people are worried about inflation. They are not even buying U.S. savings bonds as they used to. Within this month, the Treasury of the United States was forced to borrow an extra amount of cash because fewer people than expected exchanged their savings bonds, which had come to maturity, for new bonds, so many people decided to take the cash instead.

Friends of this country abroad are also worried about the possibility of inflation in the United States. I should like to quote from some recent remarks by William McChesney Martin, Jr., the Chairman of the Board of Governors of the Federal Reserve System of the United States.

A recent trip to several countries of the Far East gave me a welcome opportunity to see ourselves as others see us. One distinct impression I had of the attitude of intelligent and perceptive men in those countries is a growing distrust over the future of the American economy. Whether or not it is justified and certainly it is not—it is important to recognize that this feeling exists.

To the foreigner, much more than to Americans, the dollar is the symbol of this country's strength. A decline in the value of the dollar means a decline in the credit and faith of the United States, signaling in his mind a decline not only in our economic strength but also in our moral force.

We must also think about our ability to sell our goods abroad. Many exporters have pointed out that any further rise in the prices of American exports could be quite unfortunate because some of the important things which we produce are now in a position to meet the prices asked for American goods. Indeed, some countries, to forward their money under provisions requiring that the loans be used to buy goods in the United States, have accepted such a restriction very reluctantly, because many of our prices are higher than elsewhere.

I do not wish to exaggerate the extent of inflation in the United States up to this moment. As a matter of fact, the American dollar has depreciated at a slower rate than almost any currency that I can think of, except the Swiss franc. In other words, there has been less inflation everywhere, and less inflation here than elsewhere. Our dollar is still sound. Investors in the U.S. economy from European countries, for instance from Germany, have not yet felt it necessary to convert their dollar investments into foreign currencies. They show no signs of doing so.

What I am concerned about is the future. Our political system—in fact, that of any democracy—probably lends itself less to economic stability than to economic change. It is easier for elected officials to reduce taxes than it is to raise taxes. It is easier for elected officials to borrow than to tax the voters.

Inflation is one of the greatestills of modern times. It gradually eats away the savings of those who are specifically those who are the foundation of free society. And sometimes sudden inflation will suddenly destroy a whole group of carefully protected and carefully planned investments.

The kind of attitude described by the Senator from Pennsylvania appeals to me as a sensible way—a politically courageous way—to approach these problems. If every Senator who proposes to increase the President's budget will agree to vote for the taxes necessary to keep the budget balanced, all will be well.

I state again that I am not an economist or a tax expert. Nevertheless, I believe it is high time that the Congress take a look at the long list of organizations and institutions which are exempt from payment of the Federal income tax. I realize that the people who are the foundation of free society, who are the people who produce and sell, be allowed to have a tax break which the wage earner cannot have. Should we reward brains in one or two of the many continuing programs of the government which results in a surplus of receipts for the present business situation, in normal growth. The kind of budget the President of the United States has recently submitted to the Congress is the kind of budget the President of the United States— which is what we are approaching now to amend the Constitution of the United States—should like to have.

All of us desire and urge a strong Defense Establishment, better highways, sound conservation measures, and safe air travel. It is for these Senators to agree on what it is necessary to have as a minimum in these expenditure areas. It may even be possible to find a general opinion on what it would be wise to have.

Some may say the real question is, "What can we afford?" I would not put my question that way, for that attitude implies that there is some critical tax rate which when reached, with which every American citizen will refuse to go in contributing to public expenditures. I do not believe this. I know the American people are willing to pay whatever it may cost to keep America strong and to keep peace in the world.

The hard question, it seems to me, is, What size of Federal budget and what tax rates will result in a proper rate of economic growth without dangerous inflation?

Inflation is the danger which worries me now. My concern can be expressed in the terminology employed by economists: but I, myself, think of it in terms of the whole of the life and livelihood of pensioners, retired people, and others who are on fixed incomes, no fault of their own, to depend upon an income which is fixed as to the amount of dollars.

The PRESIDENT pro tempore. Under the 3-minute limitation, the time available to the Senator from Wisconsin has expired.

It is easier for elected officials to promise economic benefits than to figure out where the money is coming from. It is easier to be financially unbalanced than to be balanced. Only one or two of all the States in the Union have a balanced budget at the present time.

I was encouraged about the kind of attitude in which the Senate has proceeded thus far in this session in acting on legislation requiring expenditures of public funds. I believe the statement made by my distinguished colleague, the senior Senator from Pennsylvania [Mr. CLARK]. During the debate on the airport bill, the Senator said:

"Let us face up to the fact that we must balance the budget, and that the only way we can balance the budget is by getting more revenue. Let us have the political guts to face up to that fact. We can do that by closing tax loopholes, and in that way find as much revenue as we need to balance the budget. I know that Members of the Senate have too much political courage to allow the budget to get out of hand." (CONGRESSIONAL RECORD, Feb. 6, 1959, p. 2048.)

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United States to give the President the right to veto individual items in appro-

plicable bills.

As we proceed in the 86th Congress, let us consider carefully all of these pos-

sible methods for raising revenue or re-

ducing unnecessary public expenditures.

If, as we do, we are to be strong in our foreign re-

demands, we must remain strong at home.

We are united as political parties upon

the major objectives of U.S. foreign

policy. Let us be united in the desire to

make New Mexico a great state to grow in

this country, without which, I am sure we

will agree, no foreign policy can save us.

Mr. CHAVEZ. Mr. President, the

London Daily Express on Tuesday, Feb-

rury 19, 1959, published a column en-

titled "This Is America—Albuquerque,

Monday:"

To do with the activities of the

Atomic Energy Commission in my home
city in New Mexico.

The article is most instructive and in-

teresting. Besides giving an outline of

the major objectives of the

Commission, it covers the historical aspects of the State, and discusses matters af-

fecting the social welfare of the com-

munity, including heart research being

conducted there.

I ask unanimous consent that the arti-

cle be printed in the Record as follows:

THIS IS AMERICA—ALBUQUERQUE, MONDAY

Mr. CHAVEZ. Mr. President, during

the month I lost one of my best personal

friends, Raton Mack Urioste. He was an

outstanding citizen of Raton, N. Mex.

He devoted a quarter of a century to the

welfare of his family and the people of

his community.

At the time of his death he was post-

master of Raton, and was loved by its

patrons.

I ask unanimous consent that an ed-

itorial published in the Raton Daily

Record, entitled "The P.M. Is Gone," be

printed in the Record as the conclusion

of these remarks.

There being no objection, the editorial

was ordered to be printed in the Record,
as follows:

THE P.M. IS GONE

In every community may be found one or

more men whose work and interests enable

them to keep their finger constantly on the
collective pulse and to report accurately on

their home town's attitudes and reactions

well in advance. To a newspaper such an

individual is a tremendous help and never-

ending source of reliable information. For

almost all our years in Raton Mack Urioste

has been such a man. For a moment or two we

would prefer to think of the place Mack has left

vacant in the life of Raton. In his all-too-few

years he devoted nearly a quarter of a cen-

tury to public service.

Few men in their lifetime, however long,

have the opportunity to acquire the ac-

quaintances and close friends that Mack

enjoyed in Raton and northeastern New

Mexico. Eight years in the treasurer's office

brought him in contact with almost every

family in Colfax County. And 15 years as

postmaster provided him with an intimate

knowledge of every man in the Raton area.

Truly, his was a life of service to the people

among whom he lived.

For, his fellow man in his official ca-

pacities was not enough. He was among the

first to have the vision of a new church for

the Raton people. Where few can match and

that will not soon be forgotten.

But to us Mack leaves something much

more personal—memories—memories of the

countless times we have "chewed the fat" with

him about the mail service over which he

presided, how delivery could be speeded

up, how it could be improved. He was a

true friend to the paper, and his memory

will always be with us.

Long before the church project, Mack

became one of the founders of the Raton

Credit Union. Not a widely publicized organi-

zation, it has nevertheless provided financial

help in times of need for hundreds of Ra-

tonians.

An intimate friend of political leaders

in high places, Mack was always willing and

anxious to do anything he could that might

help in the community. A quarter of a cen-

tury ago he organized the

Young Democrats of Colfax County. Often

he traveled far and wide in the interest of

his candidates.

To his family, as well as the community,

he gave a rich legacy. It is not a legacy of

words. He used his recognition of the

value of service to his family and friends and

neighbors to help complete the financing that still re-

mains to be done. Mack would want it no other way.

RATON MACK URIOSTE

Mr. CHAVEZ. Mr. President, dur-

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He devoted a quarter of a century to the

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Record, entitled "The P.M. Is Gone," be

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of these remarks.
Mr. GOLDWATER. Mr. President, in this morning's Washington Post and Times Herald there appeared an article with the headline, "Senators from the Republican majority on the Senate Committee on Labor and Public Welfare want a full hearing on the Kennedy-Ervin labor bill." It was agreed that the subcommittee had proceeded as far as it could go with the Kennedy-Ervin bill, S. 505. I want to set the record straight. At the suggestion of the Senator from Massachusetts (Mr. KENNEDY), it was agreed that the subcommittee would consider the Kennedy-Ervin bill at a later date.

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

Mr. GOLDWATER. I am glad to yield with the understanding that I may proceed further, because I have a few other matters to present.

Mr. DIRKSEN. I simply wish to offer the observations made by the distinguished Senator from Arizona. What he said expressed exactly my understanding of the situation as we left the committee room, when the article was brought to my attention. I noted it could easily be misinterpreted. I am delighted to have the record clear as to the explanation.

THE KENNEDY-ERVIN LABOR BILL

Mr. GOLDWATER. Mr. President, a man who for more than a year scrutinized the inner workings of Jimmy Hoffa's Teamsters Union has termed the Kennedy-Ervin labor bill "unacceptable and inefficient." Godfrey F. Schmidt, one of the three specially-appointed monitors named to clean up the Teamsters Union, has made a statement in a letter to the Senator from Massachusetts (Mr. KENNEDY) to which I have referred. There being no objection, the letter was ordered to be printed in the Record, as follows:

February 9, 1959.

HON. JOHN F. KENNEDY, U.S. Senator, Senate Office Building, Washington, D.C.

DEAR SENATOR KENNEDY: When I appeared before the House Subcommittee on Labor and Public Welfare on January 29, 1959, you asked me to submit, in writing, my views (S. 505, the so-called Kennedy-Ervin bill). Unfortunately, in view of my trip to the Orient, I do not have either the time or the facilities to give a detailed justification for the views which I express in this letter. However, I shall set forth herein the points which I regard as particularly important.

Before I address myself to them, may I take this opportunity to say how sincerely I am grateful for the courtesies extended to me by yourself and your subcommittee and for the honor you did me in asking me to testify. I hope the members of the law to be remedied by any labor law at this time is the curbing of the unlimited power which has, over the years, been surrendered not so much to union leaders, but to union leaders. No honest man would want the power over the lives of his fellow workers, however many labor leaders. Nothing in this letter constitutes an effort to repress the legitimate aspirations of trade unions and their leaders. Rather, it is the interest of the entire labor movement that a new unfair labor practice law be enacted to prevent the unlimited power which has become so much a part of the lives of union workers and their families.

Mr. GOLDWATER. Mr. President, in these days of mass communications, it is no answer to say that we have criminal laws on our books to prevent and to punish threats and coercion. Such laws are usually ineffective for the purpose I have in mind because their measure of proof is proof beyond a reasonable doubt.

Such a law, if it were to be incorporated in your bill, would, I think, be unacceptable and inefficient precisely because it fails to take care of this most important abuse.

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out of union treasuries, a horde of actual or potential investigators and goon squads to take care of the more recalcitrant cases. The worker stands alone against and unprovided for by the law or without a legitimate voice in day-to-day decisions over his lot. He is feared more than any company boss. He must depend upon free legal advice given sympathetically to those who can pay the fees. The point is that a new unfair labor practice of company leaders should be defined for enforcement by a union strike, a speech and a bill of rights and freedom from reprisals when their views collide with those of their leaders. Your bill would, I think, be inadequate and inefficient clearly because it fails to take care of this most important abuse.

It is with organizations with rank and file workers, I am persuaded that they are as convinced as I am that no labor reform can be effectuated unless recognized and organizational picketing is banned. Your prohibition of blackball picketing is completely inadequate. In the first place, it neglects the rather obvious fact that your proposed section 8(b)(7) (p. 48 of your bill) could very easily be evaded. In the second place, it makes an agreement all but impossible. I see no reason why the coercive thrust of the picket line should be required to prevent what would be a choice of bargaining agents, which is supposed to be central to the labor relations policy. When you questioned me on this point you were concerned with the plight of Puerto Rican workers who were being exploited by employers by means of low wages and by working conditions. So am I. But such situations are far more rare, in my opinion, than the situation with which we are concerned, namely, the reported instances of back-door agreements between corrupt or dictatorial labor leaders and employers to prevent the workers from exercising their employees’ wishes. Moreover, the case of the exploited worker can easily be handled by the traditional organizational methods which have made unionism great for many years past.

Since the irresponsible power of labor leaders needs curbing (it is this power which gives them the opportunity to play dictator), secondary boycotts, which is a source of this power, must be limited. (The original intention of those who framed the Taft-Hartley law has been betrayed or frustrated by a whole range of court decisions.) I think the administration bill’s provisions in this respect should be incorporated in your bill. As a corollary to this, I would urge for some legal recognition of Diagrams in order to put these workers on a basis of equality to all candidates.

21. On page 37, section 308, the list of membership entities on page 27, line 10, should be omitted. The conversion of union funds, reprisals against members and officers, and serious or repeated violations of union constitutions or bylaws.

When I return from the Orient I shall send you drafts of proposed statutory language.

Sincerely,

GEOFFREY F. SCHMIDT.

FINANCIAL TROUBLES OF THE STATES

MR. BUSH. Mr. President, I ask unanimous consent to have printed in the Record following my remarks an editorial entitled, "The Financial Troubles of Michigan’s Trouble," published in the Hartford Courant of February 17, 1959.

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

MR. BUSH. Mr. President, the editorial shows that the difficulties of the State of Michigan are not confined to that State alone but, rather, the problems can be very general among many cities, towns, and States in the United States. The editorial calls attention to the serious financial plight in which many of these communities find themselves. It also points up the lessons contained in those facts at the Federal level of Government.

EXHIBIT 1

THE EXAMPLE OF MICHIGAN’S TROUBLE

The State of Michigan has been in a state of financial collapse, unable to pay its bills or meet its payroll. Only a premature payment of taxes made voluntarily by Michigan industries has bailed the State out temporarily with a total of $35 million in prepaid taxes. This permitted first payments since November to the State’s three major universities. They had been borrowing against anticipated full State payment for the future. Banks had already shut off payments on anticipation when Governor Williams’ appeal was made.

In the future, for Mr. Williams is one of the foremost among those Democrats who believe in a policy of government spending. There is no sign even now with the State treasury empty, that he sees any error in his ways. As one byproduct, it is hardly likely that having brought his own State to this financial crisis, he will be permitted to extend his philosophy further by a place on the national Democratic ticket. But there is a deeper lesson behind this. Let us hope it is read by those who have been flouting President Eisenhower’s plea to be fiscally responsible.

What has happened in Michigan is an extreme case. But it is only a few degrees away from the same plight that exists in countless cities, towns, and States.

1959 CONGRESSIONAL RECORD — SENATE 2685
There may be a favored few, but it is fair to say that budgetary trouble assails practically every government in the country. A good portion of the taxable assets of the community is siphoned off by the Federal Government. In the past 10 years the national debt has jumped over $12 billion. Yet in the same period, local governments everywhere in the country are running up debts of some $1.9 billion paid in taxes. The national debt now stands at more than $50 billion, greater than the National Government's debt in World War II.

Michigan is the first State to go flat broke, but it may not be the last. Local and State governments everywhere in the country are at their wits' end trying to balance the budget. Meanwhile the Federal Government, in response to the fallacy of "let Washington pay," is spending more than ever.

PRICING AMERICAN PRODUCTS OUT OF FOREIGN MARKETS

Mr. BUSH. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement titled "Pool's Gold," published in the Wall Street Journal of February 18, 1959. The editorial points out, particularly, the dangers of inflation as it affects the economic well-being of the United States, and also the danger that inflation might help quickly to price American products out of foreign markets.

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

"Pool's Gold"

That inflation is not just an idle threat invented by penny pinchers is shown by the increasing worry in Washington, and in the business community, over the U.S. position in world markets.

As an article in this newspaper the other day reported, one of the symptoms is that this year's American exports, like last year's, are expected to be well below those of 1957.

"The members and staff of the Commission join me in congratulating Thomas G. Meeker on his selection by the Arthur S. Flemming Awards sponsored by the Junior Chamber of Commerce of Washington, D.C., as one of the 10 outstanding young men in the Federal service."

Mr. Meeker was born on September 30, 1919, at Orange, N.J. A graduate of Wesleyan University (B.A., 1941) and of the Yale Law School (LL. B., 1948), he first served as law clerk to United States District Judges Carroll C. Hincks in New Haven and J. Hale Wood in Boston. From 1949 to 1954, Mr. Meeker was associated with the law firm of Gumbert, Corbin, Tyler & Cooper in New Haven, Conn.

Mr. Meeker is the recipient of one of the 10 Arthur S. Flemming awards sponsored by the Junior Chamber of Commerce of Washington, D.C., as one of the 10 outstanding young men in the Federal service.

Mr. Meeker has been appointed to the Judicial Council of Connecticut, a position that should help quickly to price American products out of foreign markets.

So it's no use pretending that we can forever run deficits without getting into trouble. That is a certainty because the cost of our inflation is now adding to costs and prices, but wage increases that are not justified by economic performance undermine the efforts of the Government to control a situation. The basic control, or lack of control, of the money supply is in the hands of the Government. And deficits can increase the effective money supply.

TOMAS G. MEEKER, RECIPIENT OF ARTHUR S. FLEMMING AWARD

Mr. BUSH. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement titled "The Securities and Exchange Commission, the recipient of one of the 10 Arthur S. Flemming awards sponsored by the Junior Chamber of Commerce of Washington, D.C.

Mr. Meeker is an outstanding citizen of the State of Connecticut. All of us who know him are very pleased that he has been honored with this award.

Mr. Meeker was named Associate General Counsel of the United States General Life Insurance Co.; H. W. Brower, president, The Prudential Insurance Co. of America; C. Slichter, president, the Connecticut General Life Insurance Co.; James W. Shanks, president, the Prudential Insurance Co. of America; Louis D. Dawson, president, the Mutual Life Insurance Co. of California; Paul F. Clark, chairman of the board, John Hancock Mutual Life Insurance Co.; James M. Case, chairman of the board, Connecticut General Life Insurance Co.; R. B. Richardson, chairman of the board, Massachusetts Mutual Life Insurance Co.; C. M. Shanks, president, the Prudential Insurance Co. of America; Donald G. Blicher, chairman of the board, Northwestern Mutual Life Insurance Co.; Frazer B. Wilde, president, Connecticut General Life Insurance Co.; James Ralph Wood, president, Southwestern Life Insurance Co.;
should be achieved in times of high prosperity.

The decision to bring the Federal budget into balance in the next fiscal year is supported by economic developments in recent months, which have led to a downturn in business activity. The business recession reached its peak last spring, and an excellent recovery has been achieved and the national economy is again approaching all-time highs of business activity. Most economists trained in business forecasting anticipate that business recovery will continue in 1959.

The developments in our national economy provide evidence that we can reach a balanced Federal budget in the next fiscal year if we are to escape the consequences of a further drop in the value of the dollar. Unemployment, which developed as we were developing our system of taxes should produce the required revenue to meet the estimated budget. The key question is whether Federal expenditures can be held to that figure. The budget wisely provides for further increases in national defense expenditures, which will be at a peak time high. However, to hold within the $77 billion limit the President calls for the ending of some temporary emergency programs and for the funding of other non-defense programs at levels consistent with the public interest. This program should be strongly supported by the American people.

Since 1946 the cost of living has risen nearly 50 percent. Federal deficits in many of the postwar years have played no small role in this steady erosion in the value of our money. There is little doubt that the large increases in Federal expenditures which developed during the year caused great concern and fear by the American people of a further rise in the cost of living. The experience which other countries have had since the war, and earlier, shows clearly that sound government financing (fiscal) is essential for maintaining stability in the value of the dollar.

Although the monetary authorities have worked hard to hold down the cost of living, they need to make the assistance of a quarterly determined fiscal policy if the fight against inflation is to be won. Moreover, the difficult problem of finding the right level for Federal deficits may, if the farmer chooses to do so, be paid in surplus grains, rather than in cash; and it also provides that farmers who will retire farmland from production.

I hope that my colleague, the senior Senator from Rhode Island [Mr. GREEN], will enjoy many years of further distinct distinction as chairman emeritus of the Committee on Foreign Relations.


disposal of surplus farm commodities

The Presiding Officer (Mr. Young of Ohio in the chair). The Chair has been recognizing Senators in the order in which they have approached the Chair. The Senator from South Dakota [Mr. CASE] and the Senator from Vermont [Mr. PROCTER] have been addressing the Chair; and the Chair now recognizes the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I desire to express my appreciation of the manner in which the Chair has been alternating recognition from one side of the aisle to the other, during the morning hour.

Mr. President, I have been gratified by the responses which have been coming in by mail to the bill (S. 946), which I recently introduced to deal with the problem of surplus farm commodities. The bill provides that soil bank payments may, if the farmer chooses to do so, be paid in surplus grains, rather than in cash; and it also provides that farmers who choose this form of payment—in grains—will receive a bonus of 10 percent on top of the farmer, the Government, the farmer, the consumer, and the taxpayer.

Mr. President, the bill has the key virtue of closing the back door while we are opening the front door, in order to reduce the surplus stocks now in storage. Too often, new stocks have come in at the back door, with the result that we have raised the cost of living, which is a concern of mine.

The program of disposing of surplus farm commodities is the only one that will work. Moreover, the difficult problem of surplus farm commodities is the only one that will work.

I am not in the soil bank now but would be glad to put my entire farm in under the conditions you suggest. Hoping your proposal becomes a reality.

Very truly yours,

George Ballard.

Vermillion, S. Dak.
Dear Senator Case: I see in the paper you are going to introduce a bill in Congress to pay soil bank farmers in grain instead of cash.

I have been saying for the last 3 years that kind of a program is the only one that will work and farmers that have any sense will go along with that kind of thinking. And it will save the Government billions of dollars in dollars.

Very truly yours,

K. O. Satterfield.

Recla, S. Dak.

Dear Senator Case: I note your proposal that surplus grains be paid to farmers who will retire farmland from production.

Let me say that I fully agree with you, Mr. Case. And I believe your new plan as stated has great merit that the soil bank will start to move out some of the 1953 and 1954 wheat and corn now stored in CCC bins.

And then, too, it would give us a chance to put this grain through the regular channels of trade.

Well, Mr. Case, more power to you. I trust you can put your proposal through in time for the short crop. That surely would save the Government buying more new bins.

With kind regards,

O. J. Bengtsson.

Center Point, Ind.

Dear Senator Case: I wish to congratulate you on your proposal of a soil bank. I have heard and talked to several persons the past couple of years that feel the same way you do.

So far as I have heard you are the only Senator or Congressman that could see where such a program was. However, I feel that anyone that cannot understand it would find a problem in getting from his home State to Washington.
If the Government would spend the $1\frac{1}{2}$ million that is spent each day for grain storage, the $1\frac{1}{2}$ million that is spent on giveaways, plus the loss in spoiled grain and shipping costs, it would pay the greater part of a soil bank program that would work.

Sincerely yours,

BOB MOORE.

CENTREVILLE, S. DAK.

DEAR SENATOR CASE: I heard your talk on the farm problem and the bill you have introduced in Congress. I didn’t put my land in the soil bank because 5 years is too long for anybody who is not old enough to retire.

One acre of soil is too high-priced to take $17 an acre for 5 years with taxes alone. Making $2 an acre a year.

With expenses at an all-time high I feel that something such as this would be a great thing for the farmer and the taxpayer wouldn’t howl about it.

I do feel that it should be required that the farmer put in all the land that he would be planting in a crop of a competing crop, excluding the hay and pasture.

This way it would prevent him from planting a substitute crop and thus defeat the purpose.

Hope you can get something done on this bill.

Yours truly,

JOHN MONSON.

SIOUX FALLS, S. DAK.

DEAR SENATOR CASE: This is only a personal opinion, but I think the farm bill you introduced yesterday makes more sense than anything I’ve seen for a long time.

It makes the grade.

Sincerely,

DOUG HILL.

ONE HUNDRED AND SIXTY-EIGHTH ANNIVERSARY OF ADMISSION OF VERMONT AS THE 14TH STATE OF THE UNION

Mr. PROUTY. Mr. President, 168 years ago yesterday the Congress of the United States—New England, New Hampshire, and Massachusetts, all three of which laid claim to portions of its land—and as a result of the indifference, and even opposition, of the Continental Congress, the hardy settlers of the Green Mountain country created, and for 14 years defended, its status as an independent Republic.

Although Vermont did not legally become one of the United States until March 4, 1791, the act of admittance was passed by Congress and signed by President George Washington on February 18, and it has been the custom of Congress to recognize the date as the day on which Vermont was admitted to the Union.

Mr. MURRAY. Mr. President, in my own State of Montana we could double the cut of the lumbering industry in national forests and still have a few million board feet left uncut. In all the States where the major wilderness reservations are to be made, there is still an excellent margin between the trees available for cutting and the actual cut.

Some time ago, I requested the making of a study of the possibilities of expanding the wood industries in my State. It developed that we have a supply of trees that will permit all existing companies to become larger, and that we could use a large number of new companies or new plants in the State, without going onto a single acre of the proposed wilderness lands.

In my opinion, it is very unfortunate that some of the commercial interests have exaggerated the effect of this splendiferous wilderness proposal.

The timber people are not going to be "closed down" or left without resources to grow. The bill is not going to terminate any grazing permits held by livestock men. The oil and the minerals

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<th>Allowable cut (in millions of board feet)</th>
<th>Timber cut in year 1958, in millions of board feet</th>
<th>Percent allowable cut</th>
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<td>Arizona</td>
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<td><strong>Total</strong></td>
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Mr. MURRAY. Mr. President, that is a small increase over the national forests in the 14 States is 7,910 million board-feet. The actual cut in 1958 was 5,200 million board-feet, or 66 percent of the allowable cut.
industries are not so hard-pressed for raw material that they need the right to punch holes in our most valuable scenic areas, which have exceptional recreational and scientific values, and will continue to contribute to watershed, game propagation, and other uses.

I am sincere in my belief for the economic development of the West and of the Nation. I have supported measures to aid every industry now opposing the wilderness bill. I shall continue to do so, and to endeavor in every way open to me to make sure that committee's position will not actually injure those who are expressing the greatest fear of it.

Mr. President—

The PRESIDING OFFICER. The Senator from Montana.


Mr. MURRAY. Mr. President, yesterday the Secretary of the Interior appeared before the House Committee on Interior and Insular Affairs, in response to my request, to present the program which the Secretary furnished the Committee on Interior and Insular Affairs to undertake a comprehensive study of the difficulties besetting the domestic mining industry, and have directed them to make recommendations for the relief of this abused industry. Shortly, as a result of that study, legislation for the relief of the domestic mining industry will be proposed. We can no longer rely on the oft-repeated promises of the administration for remedial legislation. The 6 years that they have consumed in their inaction have presented a workable solution to the problems of the mining industry, are in my opinion far too long. The Congress must now proceed with the task of forging minerals legislation administratively strong to insure our national-security requirements, and sufficiently broad to maintain a healthy and prosperous domestic mining economy.

With the help and assistance of my colleagues in the Congress, this I propose to do.

Mr. President—

The PRESIDING OFFICER. The Senator from Montana is recognized.

DESTRUCTION BY FIRE OF THE FERGUS HOTEL AND THE BURKE HOTEL, AT LEWISTOWN, MONT.

Mr. MURRAY. Mr. President, the bustling city of Lewistown, Mont., recently suffered a tragic fire. The historic Burke Hotel burned to the ground. With a year ago the Fergus Hotel in the same city also burned down.

One of central Montana's most famous citizens, Joe Montgomery, 84, was burned out in both fires. I deeply regret the loss of personal possessions suffered by Mr. Montgomery, Manager Duane Muhle and his family, and the other occupants of the hotel. Mr. Montgomery had lost all of his valuable collection of center Montana souvenirs and photographs. Fortunately, no one was injured in the fire.

Mr. President, Joe Montgomery is as calm and interest under fire as he was more than 60 years ago when he served valiantly during the Spanish-American War. I believe my colleagues will be interested in his personal account of the fire, and I ask unanimous consent to insert in the Record, immediately following these remarks, the article entitled "Joe Montgomery tells of Escape from Burke," which appeared in the February 12, 1959, issue of the Lewistown Daily News.

The being no objection, the article was ordered to be printed in the Record, as follows:

JOE MONTGOMERY TELLS OF ESCAPE FROM BURKE

(By Joe Montgomery)

I wasn't sure what time it was, but when the man pounded on the door and yelled "This hotel's on fire," my feet automatically hit the carpet and I started to dress.

I have lived through six or seven fires, and was burned out of the Fergus Hotel last April. Anyway, I had my sense about me and dressed in my warmest clothing, including three pairs of drawers and two good wool undershirts.

Then I took a suitcase which I always have empty and ready for such an emergency. I wrapped a couple of bottles of scotch whisky and a half dozen cigars in a towel, and packed them with my collection of more than 20 plaid caps and some other things, including a bottle of hot water, which just fit in the lower space.

For the first time in all the fires that have gone before, I could see the flags at the door and the sign on the fire escape open before I tried to get the fire escape.

I hope my friends will excuse me for appearing half-dressed this morning.

Anyway, I opened the door of my room and found the hall so full of smoke I couldn't see an arm's length ahead.

I had long ago planned my route of escape in case a fire should come, had a golf club by the door, and with it in one hand and the suitcase in the other I started to crawl across the hall to a room that led to a fire escape.

I found the suitcase encumbered me, so I left it on the hall floor with the intention of retrieving it after smashing open the door to the fire escape room with my golf club. I reached a hand up and pulled it out of the fire and was able to unlock the door immediately. But the room was full of smoke and I decided I better get the window out to the fire escape open before I tried to get the suitcase.

I needed both hands on the mashie to knock the big hole in the window, so I pulled up a table to use to crawl out.

I thought of going back after the bag, and then I thought, "Why make a damn fool out of yourself by going back for the bag, a couple of bottles of whisky, and the hats?"

I climbed out onto the fire escape and that fresh air certainly smelled good.

NATIONAL ECONOMY STUDY BY JOINT COMMITTEE FOR THE ECONOMIC REPORT

Mr. MURRAY. Mr. President, the Washington Post for February 17 contained an excellent editorial giving its approval to the study of the national economy which is to be undertaken by the Joint Committee for the Economic Report, under the leadership of the distinguished colleague the Senator from Illinois [Mr. Douglas]. The Post editorial points out his outstanding qualifications to do the job, which are undeniable. The Senator from Illinois was
congressional record — senate

February 19

interest rates on government bonds

Mr. DIRKSEN. Mr. President, today the Wall Street Journal, which is certainly a carefully edited paper, carries this headline on page 3: “Treasury Soon May Seek Boost in Bonds’ 4 1/2 Percent Interest Rate Ceiling If Rate Hikes Continue, Economy Seizes.”

I notice the paper has published also, on page 16 of the same edition, the full transcript of the President’s press conference, and note the President’s reply to a query raised by Raymond P. Brandt, of the St. Louis Post-Dispatch. First I read the question:

Does the administration have any plans to ask Congress to increase the 4 1/2 percent ceiling on bonds?

This is the President’s answer:

Well, of course, I think this: I think bonds should be marketed according to the demand, and I think if they are not, in the long run that is not good policy, and this applies to the bonds or to the mortgages on housing, on Federal bonds, and everything else.

I think that if we are going to be a free enterprise country, we ought to take all of our debentures and our indebtedness and re-examine, this kind of stuff, this kind of return in this particular kind of an economy,” whether it is on an upper leg or a lower leg, and I think if we don’t try to do that, it would be bad.

Now, within the 4 1/2 we have always been able to do that.

Now, the funny thing, they tell me under the law that you could offer a 4 1/2 percent bond and sell it at 95.

But it is clear in my—as I understand the spirit of that law, that that would not be violated, and I think we would have to go back to Congress if this situation, which I hope will not arise, really eventuates.

If anybody can find in that statement any intimation whatsoever that the President of the United States ever said, according to the headline on page 3, that President Eisenhower said “soon seek boost in bonds’ 4 1/2 percent interest,” he is a better scrutinizer of the English language than I.

The budget

Mr. DIRKSEN. Now, Mr. President, I have one other statement, which is in the nature of a response to a statement made by the distinguished majority leader at the last meeting of the Senate. He called attention to the fact—and parenthetical ly he gave me a copy of his statement to show the correctness of it—that in the 1960 budget the President had proposed increases as follows:


In the great majority of cases the buyer is a man who either doesn’t want or isn’t eligible to get a mortgage insured or guaranteed by a Government agency. Three out of four homes purchased are bought with the aid of conventional mortgage financing—meaning with loans not insured by the FHA or guaranteed by the VA.

The typical house buyer in a metropolitan area is about 37. His annual income averages $7,500.

He typically buys a house containing six rooms, costing about $17,100 and gets a conventional mortgage of around $11,100. And he puts down around $6,000 in cash or 22 percent of the purchase price.

These facts are available for the first time in a pioneering study just completed by the United States Savings and Loan League and to be released in a few days.

Survey is cited

Despite the dominance of the conventional mortgage loan in the purchase of homes, little research has been done on the characteristics of the families using the conventional loan. As Miles L. Colean and Leon T. Kendall, the housing experts who wrote the report, colorfully put it:

“The typical mortgage is like a family of three children where one does the bulk of the work and the other two get the bulk of the money. Because the Federal Housing Administration and Veterans’ Administration are certainly the largest in the nation, people mistakenly think they are the dominant influences in the housing market. And because these agencies constantly seek out publicity, many people minimize the conventional loans made by financial institutions. Now we have some facts from this survey and a recent Bureau of Census report. For instance, an impression I’ve had is the conventional mortgage market is divided among mortgagees who are older and have larger incomes than those using Government-backed mortgage contracts.

It isn’t so. More than 60 percent of the buyers of new homes with conventional mortgages are under 40, more than 41 percent are under 35. And the average income of the conventional loan home buyer, according to the Census Bureau, is $5,662—below the $6,543 income of VA families, the $6,154 income of FHA families.

Another impression is that the FHA and VA programs primarily help finance lower-priced homes and are used most frequently by lower-income families.

Facts offered

It isn’t so. Again according to Census Bureau figures, 35.4 percent of conventional loans go to finance homes priced under $8,000, compared with 12.5 percent of FHA loans and 6.5 percent of VA loans financing homes in this price class. And lowest-income families—those with incomes under $4,000—use conventional loans twice as frequently in home purchase as they use FHA or VA backed financing.

Enough of what isn’t so. What is obviously so is that the conventional loan is a vital force in the housing market and an even steady flow of funds into this type of mortgage is imperative to sustain new home building and maintain the used home market.

There is serious talk of developing a national market for conventional mortgages. There is discussion of creating devices which would permit an applicant in areas where funds are scarce to get his mortgage in areas where money is plentiful.

The league properly doesn’t give any clue to the views in this study. But basic force behind the research surely was its belief that the conventional mortgage market can be expanded and strengthened. It can and should be.

financing of homes

Mr. DIRKSEN. Mr. President, Sylvia Porter, who writes a column which is published in a number of newspapers, and I note the President’s reply to a query raised by Raymond P. Brandt, of the St. Louis Post-Dispatch. First I read the question:

Who buys the houses?

(by Sylvia Porter)

Who buys the houses in this Nation in which more than 60 percent of all families are homeowners.
cent. Fish and Wildlife Service, 12 percent. State Department salaries and expenses, 10 percent. Bureau of the Budget, 2 percent—contrasted with a 2-percent cut ordered this year for employees in all other Federal agencies.

The fact of the matter is that the Budget Bureau is going to achieve that objective. But one has to have the whole story to pass on this question.

In 1958 the Budget Bureau had 45 persons. In 1959 it increased the number to an estimated 425. In 1960 it will have an estimated 425. That is 160 fewer employees than it had in 1947.

That is the record. With respect to these other items, I shall not take time in the morning hour to discuss them, but I ask unanimous consent to amplify my remarks in the body of the record, and to deal with these other matters, and I would now submit my facts before the day is over.

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

Mr. DIRKSEN. Mr. President, when it is indicated that the President in his budget has asked for increased appropriations, the matter should be accompanied with sufficient detail to make clear the 26-percent increase asked for military equipment, $75 million in capital for the Development Loan Fund, and $254 million for other economic assistance in meeting the stepped-up economic program.

In the case of the Office of Civil and Defense Mobilization, which is a $39 million increase above the 1959 budget, $12 million is for contributions to States and Territories for civil defense personnel and administrative costs which the Congress itself, under Public Law 606 in the last Congress, authorized. It should be pointed out also that during 1955 and 1956, when the military equipment were financed out of available balances and, therefore, $13 million is needed to keep the program at the 1959 level. Still another factor is that this increase of $12 million to finance civil defense functions which in prior years were charged against the appropriations for other agencies so that, in fact, this constitutes nothing more than a transfer of these functions to OCCOM.

With reference to the U.S. Information Agency, where it is indicated that the 1960 budget calls for a 6-percent increase, the fact of the matter is that the 6½ million increase is the result of higher prices in foreign countries an.1 for operating costs of newly constructed radio facilities. An additional $1.6 million will go for improved radio facilities to slash through the Iron Curtain and $1 million for the Informational Media Guarantee Fund, which was authorized by the last Congress under Public Law 477.

Now consider Fish and Wildlife Service, where the request was for a 12-percent increase. This amounts to $7.2 million. Part of this is authentic for the very simple reason that the last Congress under Public Law 585 increased receipts from the so-called duck stamps which are automatically appropriated for the Bureau of the Budget, is also for additional capital for the Fisheries Loan Fund. In addition to these ideas, the Alaska Statehood Act, approved by Congress, increased the Statehood Fund of Alaska of 70 percent of the net proceeds from the sales of sealskins and other products of the Pribilof Islands. Formerly these funds were available for the administration of the islands and have to be replaced by an appropriation of nearly $1 million. The remaining increase provides for operation of new fish hatcheries completed in fiscal 1959. So every case the trail goes back to action taken by Congress.

In this connection perhaps it should be noted that the requests for other bureaus in the Department of Interior are considerably reduced from the 1959 level. In fact, there is a $38 million reduction for the Department of Interior as such, all of which puts this matter in an entirely different light.

It was stated that for the State Department for salaries and expenses there was a 10-percent increase in the request for fiscal year 1960. This would amount to $11.5 million. Of this amount, $1.5 million is for the elevation of consulates to embassy status in the new independent African countries; the establishment of new overseas posts in areas where representation is necessary; and the $8 million comes about because of higher wages and prices overseas and additional workloads.

As for the Bureau of the Budget, I have already pointed out that the average employment in the Budget Bureau for 1959 and 1960 is estimated at 425 positions, and this is 160 percent in 1947 and, in fact, lower than any time in the last seven years with the exception of 1954, 1955, and 1956 when there was slightly less personnel in the Bureau of the Budget.

I believe these explanations will serve to indicate the answer to the question of what the $6 million increase recommended by the President and that in every case they are either warranted on the basis of events or go directly to action heretofore taken by the Congress.

All this establishes, in my judgment, that the 1960 budget was prepared with the utmost care, and that deviations therefrom must be considered in the same spirit.

FAIR TRADE LEGISLATION

Mr. PROXMIRE. Mr. President, Tuesday morning Senator from Minnesota [Mr. Humphrey], introduced a national fair trade bill. I join the Senator from Minnesota in sponsoring this legislation, which is designed to save literally tens of thousands of American small businesses. This legislation is urgent. The survival of independent retail business depends on it. The bill provides emphatic safeguards for the consumer. It assures free choice to the manufacturer. I honestly think it will strengthen competition.

It does these things by outlawing predatory pricing practices in trade-marked goods that are in competition. It would permit manufacturers of identified merchandise to establish and enforce state minimum prices and further define prices of such merchandise by giving actual notice of the established prices to wholesalers and retailers.

Competing is assured, under this bill, not only legitimate but right. The rights embodied in the bill are available only to those manufacturers whose identified products are in free and open competition with articles of the same general character produced by other manufacturers. This bill does not discriminate against manufacturers who also function as wholesalers or retailers. Such a manufacturer may establish resale prices on the identified merchandise for his distributors even though he sells in competition with them, so long as he sells at the prices established for his distributors making comparable sales.

The bill does not require the manufacturer to establish resale prices on his identified products. In this regard, the proposed legislation is strictly permissible. Furthermore, a manufacturer's established price becomes binding only through actual notice to his distributors.

Mr. President, I regard a National Fair Trade Act as necessary for the protection of the small businessman for the same basic reasons that I regard Federal milk marketing orders as necessary to protect the dairy farmer in the West from the cutthroat practices of the Federal minimum wage laws to protect the laboring man in his daily labor. That is to say, this bill protects the small manufacturer, wholesaler, and retailer from the irresponsible pricing tactics of his distributors even though he sells in competition with them, so long as he sells at the prices established for his distributors making comparable sales.

In conclusion, let me say that I agree wholeheartedly with a statement made recently by the well known and highly respected syndicated columnist, Sylvia Porter, who observed that, "The little, independent businessman is our greatest safeguard against the monopolistic, corruptive forces that are now endangering and his survival must be assured, for he is, in effect, a protector of our whole way of life."

In addition, Mr. President, I ask unanimous consent to have inserted at this point in my remarks the statement which I made last year to a subcommittee of the Senate Interstate and Foreign Commerce Committee during its hearings last year on the national fair trade bill which was introduced in the last Congress by the Senator from Minnesota [Mr. Humphrey] and myself and which, as I believe no necessary, that the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. WILLIAM PROXMIRE, A UNITED STATES SENATOR FROM THE STATE OF WISCONSIN

Mr. PROXMIRE. Thank you very much.

It is a great pleasure and privilege to have an opportunity to appear before you. I have little to say of my statement which I have contributed.

In my judgment the measures which I am supporting today before your committee constitute the most important small business legislation the Congress has before
It. I feel very strongly that the adoption of this legislation is essential to the health of small business and indeed to the existence of small business as we know it in America today.

Mr. Chairman, American small business is in a serious trouble. All objective evidence—the number of failures, the number of voluntary discontinuances, the level of return on invested capital in small business, the share of the national production enjoyed by small business—all these indexes show that small business is steadily losing ground to big business and has become a prime victim of the recession.

The typical small business is a retail store, and in recent months it has been more of a prospect of any business. This was strikingly demonstrated by figures presented to the Joint Committee on the Banking and Currency Committee, the Small Business Committee, and the Select Committee on Small Business. Mr. LeBow stated that there are 1,900,000 retail businesses in operation. Small and small retail business especially, I think, are still small business, usually family business operations. The vast majority of American small business are still small business, usually family business operations. The vast majority of American small businessmen are retail merchants, the independent proprietors, the free enterprise businessmen, can be said to be the backbone of American economic democracy. Here in the retail business is where the backbone of American democracy really is, in American small cities, towns, and villages, he represents the social, political, and moral leadership. In most American communities he provides the community spirit that builds our towns. The leadership, the time, the energy, and the money come from him.

Behind this vital community leadership is the word family. The family store, the mom and dad store provides. Like the family farm the family business offers an ideal moral climate for the development of the invaluable qualities of enterprise, self-sacrifice, and the energy-demanding work of the family store virtually eliminates juvenile delinquency. The question of small business's primary importance to the economy sense, are developed and nurtured in the family atmosphere. The family store is an immensely profitable business for the individual. If an economic institution can be said to deserve preservation, certainly the family store is it.

Even if it were an economically inefficient operation, the argument for preserving the family business store would be a strong one. But it is not inefficient. It is efficient. It has proved itself repeatedly. It lacks one important survival asset in our competitive economy, however, and that asset is capital, just like the family farm lacks capital. This lack of capital means that the small business person is driven out of market competition, even if less efficient, can engage in price-cutting operations until his business is driven out.

I have talked to literally thousands of merchants all over my State of Wisconsin. I am convinced that there is no organized group of workers more completely opposed to subsidies, including subsidies for themselves, than the small businessman. There is, however, one form of legislative protection that he desires, that he needs and that he deserves. It is a measure to provide the kind of margin between what he pays for the goods he buys and what he receives for the goods he sells that will permit him to operate on a stable and efficient basis.

This is not to say that the American small businessman wants an end of competition, even of price competition. This is not to say that this legislation in any way would eliminate competition or even price competition. Indeed, in the long run I am convinced that price competition will be encouraged if the legislation I am supporting is passed.

Testimony before our Small Business Committee was replete with evidence that minimum margin on branded products and the establishment of fair-trade zones would permit, would still permit an enormous amount of price competition on both branded and unbranded products on the one hand, and unbranded products on the other, and within various trademarked brands.

I should like to present to the committee one striking demonstration of the fact that it is possible where fair trade prevails to have fair markups for the dealers, fair prices for the consuming public, and flexible pricing which adapts itself to changing conditions.

In the middle of 1954 a vicious price war erupted in the retailing of gasoline in New Jersey. Markups declined to the extent that it was impossible for the dealer to operate profitably. After public hearings in 1956 by the Select Committee, a fee, almost all the major suppliers in New Jersey began to fair-trade their gasoline. Since that time the retailer has had a fair markup and the buying public has been provided with an efficient, competitive market. If the Select Committee had been in the position to present on this record a table which has fair-trade gasoline, yet on June 1, 1958, the price of gasoline to the retail consumer in Newark was lower than it was in any other of the cities.

(The table is as follows:)

<table>
<thead>
<tr>
<th>Date</th>
<th>Dealer's tank wage</th>
<th>Dealer's margin</th>
<th>Retail service station, including tax</th>
<th>Dealer's tank wage</th>
<th>Dealer's margin</th>
<th>Retail service station, including tax</th>
<th>Dealer's tank wage</th>
<th>Dealer's margin</th>
<th>Retail service station, including tax</th>
<th>Dealer's tank wage</th>
<th>Dealer's margin</th>
<th>Retail service station, including tax</th>
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<tr>
<td>1953-July 1.</td>
<td>15.6</td>
<td>5.3</td>
<td>21.9</td>
<td>16.1</td>
<td>4.8</td>
<td>20.9</td>
<td>16.1</td>
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<td>22.0</td>
<td>15.8</td>
<td>5.7</td>
<td>21.5</td>
</tr>
<tr>
<td>1954-Jan.</td>
<td>14.8</td>
<td>5.6</td>
<td>20.4</td>
<td>15.5</td>
<td>5.3</td>
<td>20.8</td>
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<td>6.1</td>
<td>21.7</td>
<td>15.8</td>
<td>5.4</td>
<td>21.4</td>
</tr>
<tr>
<td>July 1</td>
<td>13.9</td>
<td>5.0</td>
<td>18.9</td>
<td>15.4</td>
<td>5.5</td>
<td>20.9</td>
<td>15.4</td>
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<td>21.0</td>
<td>15.2</td>
<td>5.5</td>
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<tr>
<td>1955-Jan.</td>
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<td>20.7</td>
<td>15.9</td>
<td>5.2</td>
<td>20.1</td>
<td>15.9</td>
<td>6.2</td>
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<tr>
<td>July 1</td>
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<td>4.0</td>
<td>17.8</td>
<td>15.4</td>
<td>5.3</td>
<td>20.6</td>
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<td>5.5</td>
<td>20.7</td>
</tr>
<tr>
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<td>20.7</td>
<td>15.9</td>
<td>5.2</td>
<td>20.1</td>
<td>15.9</td>
<td>6.2</td>
<td>22.1</td>
<td>15.8</td>
<td>5.7</td>
<td>21.5</td>
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<tr>
<td>Apr. 1</td>
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<td>5.2</td>
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<td>6.2</td>
<td>22.1</td>
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<td>5.7</td>
<td>21.5</td>
</tr>
<tr>
<td>Oct. 1</td>
<td>15.5</td>
<td>5.0</td>
<td>20.9</td>
<td>16.0</td>
<td>5.2</td>
<td>20.2</td>
<td>15.9</td>
<td>6.0</td>
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<td>Oct. 1</td>
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<td>22.1</td>
<td>15.8</td>
<td>5.7</td>
<td>21.5</td>
</tr>
</tbody>
</table>

1. Also established fair-trade prices Apr. 30, 1954.
The second table gives the tank-wagon price and the service-station price of gasoline in New Jersey after fair trade was adopted in 1955. It shows considerable variability in retail prices, over a range of 3 cents a gallon. It demonstrates beyond reasonable doubt that fair-trade price responds to competition and is no more rigid than any other price. It is competitive, not monopolistic in the sense that it is bound to develop where you do not have some kind of fair trade, and I feel as strongly about this as I do about anything that has come before me: that if we are going to have small business live and exist and survive with health in our economy, then we must provide this kind of protection, which in view of the enormous Government sums that are spent in other areas, is a very modest kind of protection, indeed.

I want to thank you again, Mr. Chairman, for this opportunity to appear before you, and I want to apologize for the fact that this statement was not as it was printed, was not as complete as it should be, and you may have been disturbed by this; but I am sure before the day is out a comprehensive statement in which we have all of the material included.

Senator BREE. Thank you very much, Senator PROXMIRE. On the contrary, it was a very good statement. I know of your interest in the bankruptcy cases you have been on the Small Business Committee. I very much appreciate your appearance this morning. Thank you.

ANNIVERSARY OF BIRTH OF THADDEUS KOŚCIUSZKO

Mr. PROXMIRE. Mr. President, February 12 was the anniversary of the birth of Abraham Lincoln, one of the greatest Americans of all times, as all of us properly recognize each year.

There are many other thousands of Polish-Americans, including some in my State of Wisconsin, who also proudly celebrate on this day the birth date of another great man who played a great role in the United States. He is Thaddeus Kosciuszko, a Polish general and national hero of both Poland and America. This great general came to the New World to fight under George Washington in the American Revolution. An outstanding military engineer, he built the fortifications of West Point in 1778 and took a prominent part in the Saratoga and Carolina campaigns.

After the American Revolution was successful, he returned to his own Poland and became a champion of Polish independence, leading his countrymen in uprisings against both Russian and Prussian oppressors.

Tragically, the celebration of General Kosciuszko’s birth anniversary will be a silent one in Poland again this year. But this is a special reason why the tribute to this great champion of freedom and national independence should be a sounding one in this country. We must never let the freedom-loving people in the satellite countries held under the yoke of international communism by the force of Soviet arms forget that we

will employ every means short of armed conflict to help them win their right to determine their own form of government and economic organization.

Two hundred years ago, General Kosciuszko brought his tremendous military ability to help our country win its independence and to keep that the United States will always be free. And so, every possible political, economic, and moral sanction to help them win back their freedom from their Communist oppressors.

RETIEMENT OF FRANK HENRY HIGGINS, ASSISTANT SECRETARY OF THE ARMY

Mr. KEAPAUER. Mr. President, yesterday I read in the press the announcement that Frank Henry Higgins, the Assistant Secretary of the Army (Logistics), is leaving his post effective March 31. He is a fine public servant. I am sorry that he feels he must retire.

Secretary Higgins has served with outstanding distinction in this most responsible of roles. Secretary Higgins was nominated and Assistant Secretary of the Army by President Eisenhower August 4, 1954, and was confirmed by this body on August 18, 1954.

In the past 4½ years, Secretary Higgins has been responsible for the obligation of over $20 billion through new procurement contracts for supplies and services to maintain and modernize the U.S. Army; for the purchasing of many items of food, clothing, textiles, vehicles, artillery, and so forth, for the Air Force, the Navy, the Marines; and for the procuring of substantial quantities of major equipment for our allies under the military assistance program. He has had the tremendous responsibility of the management of an average annual inventory of $16.7 billion. The management of an inventory of this size spread throughout the world presents problems exceeding those of any industrial corporation in existence. The constant top level management required to assure that this vast inventory is continually streamlined to eliminate those items no longer required by our fighting forces and to replace them with new types of equipment coming off the production line and in doing that to insure the best possible use of the moneys provided by the Congress has

CV—170
been most exemplarily provided by Mr. Higgins. I would be remiss if I did not state that the effectiveness of the fighting forces today depends to a great extent on the ability of that force to maintain its mobility and to support itself in the field. One of the prime objectives of Secretary Higgins during his tenure of office has been the continuing effort for the standardization of equipment and the development of an ease of maintenance of its mobility and to support itself in the field. The success of Mr. Higgins' efforts is demonstrated by a substantial reduction in the total number of items in the Army's inventory since World War II. The measure of his efforts will be felt in the event of an emergency—the logistical effort required to move and support great forces in the field will be greatly reduced.

In carrying out his directed responsibilities, the Assistant Secretary of the Army, Mr. Higgins, has been mindful of the fact that little could be done without the wholehearted support of American industry and the American public. Therefore, his responsibility was to enlighten and to call public attention to the problems faced by the Army, and to encourage the participation of all in solving these complex problems. During the past few years, the Assistant Secretary has been instrumental in presenting in proper focus the Army's logistical program to the Congress. His many appearances before congressional committees involved in the administration of the Army program and have done much toward securing congressional understanding. He has met across the table with over 1,000 executives of industry and has met with contracting personnel throughout the country and throughout the world, in an effort to create an area of understanding and to promote the military-industry team so vital to the success of the U.S. Army. He has been concerned with the public image and public relations of the Army and his actions have been instrumental in the public understanding of the Army.

MANDATORY CURBS NEEDED ON OIL IMPORTS

Mr. YARBOROUGH. Mr. President, flood-control measures are planned to keep water in its proper course when a river overflows. Today the economy of the United States is being badly damaged by a flood of foreign oil being brought into this country to compete with what is produced here at home. Immediate control measures are vitally needed to contain this flood and prevent it from doing more damage. But where piles of sandbags are urgently needed, the administration stands like the legendary Dutch boy trying to stop a crashing flood by hopefully poking its inadequate finger into the break in the dyke.

This Nation must immediately have mandatory curbs on oil imports. It does not only need this today, it has needed this for many, many months. For more than a year the President and the Congress have been requested by the American Association of Oilwell Drilling Contractors to pass a resolution which I feel should be brought to the attention of the Congress and of the President. Mr. President, I ask unanimous consent to have it printed at this point in the Record.

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

RESOLUTION ON OIL IMPORTS

Whereas the Government-sponsored voluntary oil import program has proved entirely inadequate; and
Whereas the combined imports of crude oil and refined oil products in 1958 increased to a volume which constituted a 25-percent rise in U.S. crude oil imports; and
Whereas the combined imports of crude oil and refined oil products in recent months has far exceeded any comparable figure in recent years, in some cases reaching 2 million barrels daily; and
Whereas it was necessary to restrict U.S. crude oil production in 1958 to an average of 6,700,000 barrels per day, a volume 400,000 barrels per day below 1957 rates; and
Whereas this condition has been one of the prime factors in causing the income of U.S. oil producers to decline sufficiently to cause a 17-percent curtailment of the number of wells drilled for oil and gas in the United States; and
Whereas these conditions are creating widespread unemployment in oil well drilling, in oil production, and in the manufacturing and service industries dependent upon oil drilling and production activity; Now, therefore, be it
Resolved by the board of directors of the American Association of Oilwell Drilling Contractors at its meeting held at Lafayette, La., February 9, 1959, hereby urges that the President's Cabinet Committee immediately formulate a definite oil import program which will include provisions for restricting imports of crude oil as well as refined oil products as well as imports. This program will have five objectives: (1) to formulate a definite oil import program; (2) to restrict imports of both crude oil and refined oil products to their 1954 ratio to world crude oil production.

RESISTANCE OF PEOPLE OF WARNEN COUNTY, VA., TO COURT DECREES ON INTEGRATION

Mr. EASTLAND. Mr. President, I take this opportunity to express my deep admiration of and appreciation for the good people of Warren County, Va. Their courageous conduct in refusing to bow and bend to illegal and unconstitutional Court decrees attempting to force integration of white and Negro children in the public schools is deserving of only the highest praise and commendation. I want them to know that the people of Mississippi and of the South are deeply grateful to them for pursuing this course of conduct. The people of Warren County, Va., are making a fight for the whole South. Their action reflects their loyalty and allegiance to the most deep-seated and highest traditions of the South and the American Nation. It
is consonant with established law and custom. We sympathize with them that they should have been chosen as the victims and should be forced to abandon their educational institution and turn 33 classrooms and facilities for over 1,000 students over to the 22 Negro plaintiffs who precipitated this debacle, at the instigation of the NAACP. Failure regarding school integration happened thick and fast in Virginia. Warren County had already been forced to close its magnificent high school. The first course of action for the balance of this school year. The court order requiring that the high school be reopened on an integrated basis came like a thunderclap out of a blue sky. It was totally unexpected: but the fine people of Warren County rallied and have demonstrated to the world that they will not knock down to the NAACP and will not permit alienation of their school system. They know through several hundred years of history what this means to their children and to their culture. The people of Warren County, demonstrating that the combined will of the people at the level of the local community can solve even the most vexing and difficult problems by legal and peaceful means. Not one single, solitary instance of violence showed up when the doors of the school opened. Thus the ultimate and most final order of the Court falls in futility and confusion. This course of action required the highest degree of conviction, courage, determination, and sacrifice.

The Supreme Court based its original integration decree of May 17, 1954, on alleged pseudoscience and scientific authorities in psychology and sociology. If this Court has a real interest in psychology and sociology, I invite its attention to the situation it has precipitated in Warren County, Va. Without a doubt, there has done is nothing but a true psychological and sociological manifestation of a most evident truth. Freedom of choice in one's educational institution is an individual right, which is that is being exercised in Warren County, and it is a right that can never be denied to a free people. This is fundamental in both psychology and sociology. The force of theory is shattered when it meets the facts and truth of life. Warren County has furnished the example and inspiration for all the South to stand steadfast under the lash of Federal court tyranny. I do not believe that even this present Supreme Court will recklessly and heedlessly destroy the entire public school system in the Southern States. I have every confidence that the overwhelming majority of the people in the United States are in full and complete agreement with the people of the South in support of the constitutional doctrine of separate but equal facilities for the white and Negro races. This is now required to achieve this goal is for the people of the level of the local communities to emulate the exemplary conduct of Warren County when they, too, are presented with a similar crisis. These brave people go not, like the quarry slave at night, scourred to his dungeon, but are sustained and soothed by an unfaltering trust in the righteousness of their cause and the support of their Government. Millions of Americans who love their Constitution and system of government congratulate them.

PERSONAL STATEMENT BY SENATOR ELLENDER

Mr. ELLENDER. Mr. President, it is seldom that I rise to criticize any of the articles written about me by my friends of the press. As a rule I do not pay too much attention to what they say about me, whether good or bad so long as they do not overlock me. But today I feel I must break precedent. A while ago I read in today's issue of the Washington Daily News a highly critical article about me written by John T. O'Rourke, the editor of that newspaper.

Mr. O'Rourke's article contained numerous misstatements of fact as he attempted to tie together the recent statements of what I thought of Fidel Castro and a bill I have introduced which would make permanent provisions of the existing sugar act. As a matter of fact there is no connection at all between these two. I am certain that if Mr. O'Rourke had read the Record, or had he taken the time to read the reports made of my trip, he would not have made the misstatement that I attribute to him.

I read now from the article by Mr. O'Rourke:

No doubt U.S. Senator Allen Ellender's remarks that Fidel Castro's actions are delaying extensions of the Sugar Act will irritate many Cubans both in and out of the government. Mr. President, I wish to say that I did not raise such an issue. Let me explain what happened.

On February 17, the Committee on Agriculture and Forestry had Secretary of Agriculture Benson as a witness. In the course of that hearing, the committee Secretary Benson said it was his judgment that the existing Sugar Act should be extended at this session of Congress. He said such action would permit advance planning by growers of the industry. He proceeded to explain why.

At one point he stated:

We have had one objection raised to pushing that right now, and that is the situation in Cuba. Many of you are appraised of that, Mr. Chairman. But we do feel it would be helpful to the domestic growers if the act could be extended.

This statement was made by Secretary Benson, not the Senator from Louisiana.

In other words, the first public utterance dealing with a possible delay in considering sugar legislation due to the current situation in Cuba was made by the Secretary of Agriculture.

When Senator Benson was questioned by Secretary Benson, the Senator from North Dakota [Mr. Young], the Under Secretary of Agriculture, Mr. True D. Morse, and myself.

As shown on page 232 of the transcript of that hearing which I hold in my hand, I then said:

And as Secretary Benson has just stated, the delay of the Bill will be delayed some because of the activities of Mr. Fidel Castro. I do not know what position Dr. Castro will take. He has been saying some nasty things about our country here recently, and I believe we ought to wait and see what is going to happen within the next few months before we take up the extension of the act.

Mr. President, I am sure no one will deny that Mr. Castro has said some nasty things about our country. I particularly remember his remarks about "gringos" dying in Cuba should the United States take any action to halt the postrevolution blood bath. If I were to place to the Record all the derogatory statements Fidel Castro has made about the people of the United States and the officials of our country here lately, the printing of those statements would probably fill a volume.

Mr. President, I also ask unanimous consent to have printed at this point in the Record the article entitled "Cubans Icked at Ellender," which was written by Mr. O'Rourke.

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

CUBANS ICKED AT ELLENDER

(By John T. O'Rourke, editor, Washington Daily News)

HAVANA, February 19.—No doubt U.S. Senator Allen Ellender's remark that Fidel Castro's actions are delaying extensions of the Sugar Act will irritate many Cubans both in and out of the government. Sugar Act extensions will irritate many Cubans both in and out of the government. This is the act under which Cuba can sell sugar in the United States. Sugar is, of course, the principal source of Cuba's national income.

However, there are a number of people who will simply shake their heads and sympathize with the people of the United States for having a statesman as Senator Ellender on their backs.

Senator Ellender is quoted here today as saying that "Castro has been saying some very ugly things about us in the past few weeks." And that this might result in the Congres suspending the Sugar Act extension pending for a few months.

CHUBANOS and U.S. Embassy staffs recall Senator Ellender's vist here last December when they discovered that he didn't know what he was talking about, and furthermore that he admitted it.

He held a meeting with Embassy staffs, telling them he didn't want their opinions, and a press conference at the Embassy at which was made the most lightly repeated remark was "Of course, I don't want to be about this. I've heard a little talk about it, but strictly unofficial." etc.

He was asked whether he thought a civil war was going on.

"I don't know of any," he said. Then he asked:

"Has there been any fighting?"

"This was 2 weeks before the dictatorship collapsed and Batista fled."

The Senator said he had been reading about Cuba's troubles in the U.S. newspapers, but he thought they were grossly exaggerated.

These remarks, according to Henry Goethals, of the Havana Times, were prompted by Senator Ellender's remark that he thought the U.S. ban on sending arms to
There really were bandits burning the sugar fields, and by the score and leaving the bodies in the streets. He thought it would be tragic if a civil war did actually happen in a place so prosperous and wonderful because they had the good fortune to live here. But this is no position to talk to Dr. Castro, he said, and he had no intention of getting involved.

During his recent visits Castro declared that the United States has never been so prosperous as she now is, and that this prosperity has come to pass under the Batista regime. Dr. Guell was a very polished gentleman, he liked his manner. As he speaks he has a twinkle in his eyes and a smile on his lips. He is tall and slender, and he looks the part of a statesman. He is very frank in his belief that Batista has done a good job, and he is afraid that a change for Castro would be tragic for Cuba. He said many of Castro's adherents are under Communist influence. Although he did not make the direct accusation, he hinted that some American newspapers and writers of influence, have made a hero of Castro, and that it is somewhat difficult for his country to cope with the situation. He said the recent measures are not popular, he could not see them. He said the usual large number of the people did not vote in the election because of threats by the Castro forces—that people were afraid for themselves because of the reprisals that might follow.

I would judge from our conversation that he realized that in some quarters Batista was not too well liked. He said that Cuba has never been so prosperous as she now is, and that this prosperity has come to pass under the Batista regime.

Dr. Guell was particularly critical of our policy of refusing to sell arms to Cuba. He declared several times that the conflict was, by no means, a civil war. He complained that the United States has never been so prosperous as she now is, and that this prosperity has come to pass under the Batista regime. He declared several times that the conflict was, by no means, a civil war. He complained that the United States has never been so prosperous as she now is, and that this prosperity has come to pass under the Batista regime.

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

February 19 - Havana is growing rapidly. Land is very expensive and building materials are likewise expensive. Apartment houses are going up all over the place. A new tunnel was recently completed that goes under the harbor, near Morro Castle and lighthouse. The castle, or fort, built by the Spaniards many years ago, is now occupied by the United States and used as a barracks. I was informed.

I took pictures of the Maite Monument, particularly the eagle at the top thereof. Several years ago the original was damaged by a hurricane. The original eagle fell and a new one was made. The old one is preserved and can be seen in the grounds of our Ambassador's residence.

At noon I was guest at a dinner given by the French Consul. Unfortunately, Mr. Arturo Manas, the President, was not on hand. Dr. Castro, as a fine man I met on this trip. An able lawyer and a dignitary, he is very much a man of the people. He is a stanch Batista follower and I trust he will be careful not to have his government make any commitments that he cannot help him to carry out. He is a stanch Batista follower and I trust he will be careful not to have his government make any commitments that he cannot help him to carry out.

I was asked to say a few words at the dinner. I began by saying that although a few years ago I was asked to tell you that "Cuba's War Enemy No. 1." I had no horns growing on my head, that I merely did what any good Senator can do—tell the whole country the constituencies. I complained of the bad publicity handed out by some lobbyists and public relations men, who represented some of the Cuban interests in Washington. I emphasized that the material furnished did not reflect the facts and that all I sought to do was to provide for our continental producers their just share of a larger quota resulting from more consumption, because of increased population.

I was given quite an ovation when I said that it was my hope that Cuban interests would not work against us in this cause, in its present form. It is my hope that we can do so.

No labor-saving devices are permitted in the cane industry here unless the same number of laborers are hired, and are paid at the same rate, as laborers whom wages could be made but all savings would come to naught because the same number of employees must be employed and actually paid at current rates. In effect, they become fixtures and are entitled to law to be paid, whether or not their jobs are abolished because of modernization. No labor-saving devices, cannot be dispensed with, except for refusal to pay rentals fixed by law. A colono cannot be dispensed with by a landowner unless
The landowner pays a very high price for what is termed a vested right. It is a serious injustice can be made unless the colonio agrees to it.

At 9 a.m. on December 14th I was met by a delegation from the American Chamber of Commerce. It will be recalled that I was guest of honor at a luncheon given by the chamber just a few days earlier.

I toured some of the villages along the coast on the new highway that is now being built. It is an impressive new large cement plant operated by Mr. Scott Thompson. Aside from Mr. Thompson, I was accompanied on this tour by Mr. Lawrence Crosby, of the chamber of commerce.

Most Americans here in Havana fear that they are in danger. Little can be done by them politically and they are entirely dependent on the government in power. They cannot openly choose sides for fear of reprisals.

Here in Havana, and the surrounding areas, Batista is very strong, although despised by many. I was informed that those who profess to be with Castro would not necessarily support him to head that movement. They have been riding high because of the favorable conditions here.

The problem here has been brewing for quite some time and quite a few Americans I spoke with seemed to feel that about all that could be done was to keep the situation on the sidelines and letting the situation worsen. It was the hope of some that the situation might just take care of itself.

Much blame is put for some of the trouble at the doorstep of two of our leading American newspapermen, said more than once that Herbert L. Matthews, a writer for the New York Times, made a hero of Fidel Castro the day I was in Cuba, by the article in the Chicago Tribune that he was said to be elbows around Castro. I was told that DuBois wrote some very complimentary articles about conditions in Cuba. Much of the information was discussed at the delegation.

Most of the Americans I spoke to here, as well as many leading Cubans, feel that both Castro and Batista are enemies of the people. They are in danger. Little can be done by them politically and they are entirely dependent on the government in power. They cannot openly choose sides for fear of reprisals.

I asked the recent election held for a successor to Batista. Few people, except Castro partisans, would say that the election reflected the will of the people. President-elect Andres Rivero Aguero is pictured as a stooge of Batista. On the other hand, I was told that Castro could not only carry voters away from the poll. He threatened all eligible voters with trouble if they should participate in the election. There were a few riots all over Cuba and no doubt many people were put in fear to such an extent that few went to the polls.

If Castro were the only contender, there might be some merit in the contention that he is a true successor to Batista, if given a chance. The trouble is that Castro does not have the field to himself. While Castro heads the 26th of July movement, he is being opposed by two other factions. One of these is headed by Carlos Frío's Authentic Organization and another, the Revolutionary Directory headed by Poure Chamoun. Although I could not learn much about them, it is felt by more trouble will ensue if any one faction wins out, through a coup d'etat, or otherwise.

Frio is a former President of Cuba and is operating out of Florida, I was told. He is one of the strong men of the day.

What is needed is a clear-cut for Batista, is, of course, his unpopularity. He is despised to the point where some people would do almost anything to get rid of him. All that has been heard about Batista, he has doubted rules—particularly in the last 2 years—with an iron hand. There are many charges of corruption leveled against his government, particularly in Army circles, yet, no one is in a position to prosecute the offenders as long as Batista is in power.

Most people I talked with take the position that a change from Batista to Castro, or anyone else, but not Castro in peace. They feel that corruption will be rampant, as in the past.

I know nothing of the situation, of my own knowledge but the consensus of opinion seems to be that the Cuban treasury has lost much at the hands of some greedy high government officials, and that wages paid may be more than enough to keep their positions to make themselves rich. If that is true, it will be rather difficult for any government to function. It will be as if the government were out of control.

It will require time, patience, and honesty of purpose. Many things are not done that could be done, even if there were graft. There is much physical evidence of an improving economy over the last 4 or 5 years. It is contended by some, and I am inclined to agree, that Cuba has never been so prosperous as she now is. Cuba had a balanced budget which is something that was never thought of. It is not a very high price to maintain internal security.

I asked why it was necessary for such high prices to be paid. I was informed that the high prices were due to the United States refusal to sell arms to Cuba. One man charged as much as the traffic would bear.

A United States embargo was placed on arms on Cuba. It is not that was not done, I could not find out except that we were afraid of siding with the recognized government. If Cuba could be certified as Batista, and thus incur criticism from the Russians for interfering with the internal affairs of any country.

Whatever happened to make us stop, we did stop. In the meantime, as I previously stated, Cuba has been paying high prices for a variety of inferior weapons from France, Great Britain, Switzerland, and even Israel.

I am not prepared now to say what we should have done, because I do not have access to all the facts, but it strikes me that so long as there was no real civil war prevailing there was no reason why we should not have sold military equipment to Cuba to maintain internal security.

I am told that if we had lived up to our promise to deliver arms on order, Cuba would not be in the trouble she now finds herself. I asked why we refused to do this.

Many people were emphatic in stating that the fact that Batista government did not have sufficient arms to restore law and order caused Castro to expand his operations, and it is the objective of the factions that are opposing Batista to oust him and then free elections could be scheduled and a new government of the people, and was thereby able to make an effort to restore law and order, that will accrue to all the people.
My fear is that if Castro is successful, strife will continue and the military will remain all-powerful and will actually rule the country— that one dictator will merely be replaced by another. This ends the extracts from my diary.

Mr. ELLENBERG. Mr. President, I wish to refer further to Mr. O’Rourke’s article in the New York Times of Thursday, January 29, in printing a transcript of the Chief Executive’s news conference of the preceding day, quoted Mr. Eisenhower as stating that such was—to use his own word—“not the case,” after he that I have not even heard about.”

The Times’ transcript added this further comment from the President:

“I didn’t know that there was any difference in the responsibility and authority of the new State of Alaska as compared to other States.”

That, Mr. President, was an official statement by the man who signed into law the 49th State’s admission Act.

In order that there may be no mistaking the fact that such a grant of authority was approved by the 2d session of the 65th Congress, I wish to read directly from public law 53–568, which was passed in providing for the admission of the State of Alaska to the Union. On page 4 of that statute, the following language is found under the designation of section 6(j):

“The schools and colleges provided for in this act shall forever remain under the exclusive control of the State, or its governmental subdivisions.”

That language is clear and explicit; and, in the absence of any statement of legislative intent to the contrary, it can only be interpreted as giving to the State of Alaska and its political subdivisions the authority, for all time to come, to operate the State’s schools and colleges as they may conjunctively see fit.

If so recent a provision of law is news to the President and the American people, Mr. President, perhaps it will be an easy matter for him to report that research just completed, at my request, by the Library of Congress discloses that 10 other States likewise were granted exclusive control over their educational institutions upon their admission to statehood.

Such grants of authority were made to the States of North Dakota, South Dakota, Montana, and Washington, in 1889; to the States of Idaho and Wyoming, in 1890; to the State of Utah, in 1894; to the State of Oklahoma, in 1907: and to the States of New Mexico and Arizona, in 1912.

In each case, Mr. President, the term “exclusive control” was used; and, with the one exception of Oklahoma, each such delegation of power was made for ever.

For Mr. O’Rourke to take out of context a statement made by me 3 years ago—a statement which is inapplicable to the present situation—is unpardonable.

I wish to state to the people of Cuba that, insofar as I am concerned, I shall do all I can to have the Sugar Act as it is now written extended, without any amendments.

I would also like to point out that in the last two paragraphs of his article, Mr. O’Rourke attempts to leave the impression that I was at odds with the persons who cooperated with me to the fullest extent.

As to the views I expressed at a press conference, they can be found in my diary quoted above.

CONSTITUTIONAL AMENDMENT TO RESTORE STATE AND LOCAL ADMINISTRATIVE CONTROL OVER PUBLIC SCHOOLS

Mr. TALMADGE. Mr. President, in a speech before the Senate on January 27, I proposed a constitutional amendment to restore State and local administrative control over public schools.

During the course of my remarks on that occasion, I referred to the fact that Congress, in voting last year to admit Alaska to the Union, gave to our 49th State exclusive and perpetual control over its public schools and colleges.

The fact that such a grant of authority was made obviously was not common knowledge. I know many people has occasioned expressions of great surprise on the part of many Americans—including the President of the United States.

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Mr. TALMADGE. Mr. President, the number of States possessing such power well may be increased to an even dozen before the end of this session of Congress. Possibility exists because of the Hawaiian statehood bills pending in both the Senate and the House of Representatives provide, in section 5(c), that the schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State.

In bringing out these facts, Mr. President, it is not my intention to be critical of those States which have been granted extraordinary power over their public educational institutions.

To the contrary, it is my firm conviction that such power should be possessed and exercised by those States.

And, by the same token, it is my strong feeling that all of our 49 States should possess similar authority.

It is out of that conviction and feeling that I have proposed, as set forth in Senate Joint Resolution 32, an amendment to the Constitution of the United States, which would assure all States of that right. If submitted by Congress and ratified by three-fourths of the States, it would add to our Constitution the following language:

"Administrative control of any public school, public educational institution, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in this Constitution shall be construed to deny to the residents thereof the right to determine for themselves the manner in which any such school, institution, or system is administered by such State and subdivision."

That is a proposition, Mr. President, with which every American who wishes a voice in the education of his children will agree.

That is a proposition, Mr. President, which every person who subscribes to our constitutional heritage of local self-government and local self-determination will support.

It is a proposition which is supported by history.

Our Founding Fathers recognized that education was a local responsibility, and thus left it as one of the areas retained for exclusive State and local control under the terms of the 9th and 10th amendments to the Constitution.

It is a proposition which is supported by the local nature of school financing.

According to figures supplied me by the Library of Congress, 83.9 percent of all public school revenue is raised on the local level, and 39.5 percent on the State level, compared to only 4.6 percent on the Federal level. A total of 79.7 percent of all capital outlay funds for public school facilities comes from the local level, which, added to another 8.8 percent from the State level, compares to only 3.9 percent from the Federal level.

It is a proposition which is supported by the findings of responsible Federal study groups.

In a report issued June 28, 1955, President Eisenhower's Commission on Intergovernmental Relations declared that the "national interest in education, like many other national objectives, is best served by State and local administration and control." The report characterized local control of education as "one of our most prized possessions."

Mr. President, I ask unanimous consent to have printed herewith in the Record the tables on sources of school revenue and capital outlay provided me by the Library of Congress and the text of chapter 9 of the report of the Commission on Intergovernmental Relations with reference to education.

There being no objection, the tables and the extract were ordered to be printed in the Record, as follows:

| Table 3.—Revenue and nonrevenue receipts, and balances from previous year, by State: 1955-56 |
|--------------------------------------------------|--------------------------------------|--------------------------------------|
| Region and State | Total revenue receipts | Federal | State |
|                  | Amount | Percent of total | Amount | Percent of total |
|                  | (cols. 1+3) | (cols. 4+6) | (cols. 7+9) | (cols. 10+12) |
| Northeast        | 2,492,315 | 63,617 | 2.6 | 845,147 | 34.6 |
|                  | 19 (7) | 1,094,861 | 65.4 | 1,850 | 9.9 |
|                  | 1 | 708,920 |
| Connecticut      | 123,870 | 4.9 | 32,659 | 26.3 |
| Massachusetts    | 19,367 | 27.0 | 19,367 | 27.0 |
| New Hampshire    | 28,081 | 25.1 | 28,081 | 25.1 |
| New York         | 512,127 | 6.5 | 512,127 | 6.5 |
| Wisconsin        | 57,598 | 9.2 | 57,598 | 9.2 |
| Minnesota        | 54,037 | 4.1 | 54,037 | 4.1 |
| Illinois         | 13,350 | 4.8 | 13,350 | 4.8 |
| Indiana          | 27,680 | 2.0 | 27,680 | 2.0 |
| Ohio             | 44,246 | 3.3 | 44,246 | 3.3 |
| Michigan         | 29,971 | 2.0 | 29,971 | 2.0 |
| Kentucky         | 40,355 | 3.1 | 40,355 | 3.1 |
| Tennessee        | 52,173 | 3.9 | 52,173 | 3.9 |
| Louisiana        | 32,356 | 2.4 | 32,356 | 2.4 |
| Missouri         | 35,784 | 2.7 | 35,784 | 2.7 |
| Arkansas         | 42,572 | 3.1 | 42,572 | 3.1 |
| Texas            | 63,721 | 4.8 | 63,721 | 4.8 |
| California       | 46,648 | 3.5 | 46,648 | 3.5 |
| Montana          | 10,632 | 0.8 | 10,632 | 0.8 |
| North Dakota     | 5,844 | 0.5 | 5,844 | 0.5 |
| South Dakota     | 4,936 | 0.4 | 4,936 | 0.4 |
| Wyoming          | 1,724 | 0.1 | 1,724 | 0.1 |
| Idaho            | 7,809 | 0.6 | 7,809 | 0.6 |
| Utah             | 4,841 | 0.4 | 4,841 | 0.4 |
| Colorado         | 17,318 | 1.3 | 17,318 | 1.3 |
| New Mexico       | 4,562 | 0.4 | 4,562 | 0.4 |
| Arizona          | 36,776 | 2.8 | 36,776 | 2.8 |
| Nevada           | 22,926 | 1.7 | 22,926 | 1.7 |
| Utah             | 19,217 | 1.5 | 19,217 | 1.5 |
| Idaho            | 10,355 | 0.8 | 10,355 | 0.8 |
| Montana          | 4,583 | 0.4 | 4,583 | 0.4 |
| Other States     | 53,086 | 4.0 | 53,086 | 4.0 |

See footnote at end of table.
### Table 3.—Revenue and nonrevenue receipts, and balances from previous year, by State: 1955–56—Continued

<table>
<thead>
<tr>
<th>Region and State</th>
<th>Total amount available (thousands of dollars)</th>
<th>Federal revenue (thousands of dollars)</th>
<th>State revenue (thousands of dollars)</th>
<th>Local revenue (thousands of dollars)</th>
<th>Total nonrevenue receipts (thousands of dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
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</tr>
<tr>
<td></td>
<td>(11)</td>
<td>(12)</td>
<td>(13)</td>
<td>(14)</td>
<td></td>
</tr>
<tr>
<td>North Central</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>817,090</td>
<td>165,405</td>
<td>1,986,456</td>
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<td>20,900</td>
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<td>885,387</td>
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<td>83,527</td>
<td>1,720,644</td>
<td>262,731</td>
<td>91,905</td>
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<td>Kansas</td>
<td>197,591</td>
<td>25,580</td>
<td>105,691</td>
<td>33,250</td>
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<td>474,545</td>
<td>102,024</td>
<td>2,853,381</td>
<td>241,231</td>
<td>98,901</td>
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<td>Minnesota</td>
<td>394,745</td>
<td>60,178</td>
<td>2,400,691</td>
<td>203,063</td>
<td>82,272</td>
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<tr>
<td>Missouri</td>
<td>560,585</td>
<td>64,742</td>
<td>2,341,846</td>
<td>204,649</td>
<td>83,249</td>
</tr>
<tr>
<td>Nebraska</td>
<td>198,683</td>
<td>25,605</td>
<td>82,966</td>
<td>4,533</td>
<td>6,671</td>
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<tr>
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<td>3,791</td>
<td>4,218</td>
<td>218</td>
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<tr>
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<td>29,201</td>
<td>48,446</td>
<td>10,701</td>
<td>5,069</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>347,249</td>
<td>80,003</td>
<td>77,711</td>
<td>80,021</td>
<td>10,786</td>
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</table>

**South**

<table>
<thead>
<tr>
<th>State</th>
<th>Total amount available (thousands of dollars)</th>
<th>Revenue receipts (taxes, appropriations, etc.), by source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(1)</td>
<td>(2) Amount of total receipts</td>
</tr>
</tbody>
</table>

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*When a county operates public schools directly, it is classified as "local"; but when a county serves as an administrative unit between the State and local school districts it is classified as "intermediate".*

*Includes gifts and also tuition and transportation fees from patrons.*

*A direct comparison between the 1955-56 data and the 1963-64 data cannot readily be made because of a reclassification of items comprising "intermediate" and "local."*
### Table 3—Total expenditures for public schools, capital outlay, and interest on school debt, for a period of 7 years: 1900-01 to 1906-07—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Total expenditures for public schools</th>
<th>Local, 79.7 percent</th>
<th>State, 8.9 percent</th>
<th>Federal, 5.9 percent</th>
<th>School building authorities, 7.9 percent</th>
<th>Amount of capital outlay by source of funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Louisiana</td>
<td>$719,650,710</td>
<td>$590,140,500</td>
<td>$396,000</td>
<td>$20,100</td>
<td>$125,000</td>
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<td>$742,650,700</td>
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<tr>
<td>Massachusetts</td>
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<td>$732,150,500</td>
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<td>$14,000</td>
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<tr>
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<td>$797,150,500</td>
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<td>$14,000</td>
<td>$200,000</td>
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<tr>
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<td>$914,650,700</td>
<td>$827,150,500</td>
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<td>$14,000</td>
<td>$200,000</td>
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<tr>
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<td>$942,150,500</td>
<td>$19,000</td>
<td>$14,000</td>
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<tr>
<td>Montana</td>
<td>$1,030,710,500</td>
<td>$950,170,500</td>
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<td>$14,000</td>
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<tr>
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<td>$950,170,500</td>
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<td>$14,000</td>
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<tr>
<td>New Hampshire</td>
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<td>$1,152,150,500</td>
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<tr>
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<td>$14,000</td>
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<tr>
<td>New Mexico</td>
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<td>$1,152,150,500</td>
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<tr>
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<tr>
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<tr>
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<tr>
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<tr>
<td>Oregon</td>
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<tr>
<td>Pennsylvania</td>
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<tr>
<td>Rhode Island</td>
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<td>$14,000</td>
<td>$200,000</td>
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<tr>
<td>South Carolina</td>
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<td>$14,000</td>
<td>$200,000</td>
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<tr>
<td>South Dakota</td>
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<tr>
<td>Tennessee</td>
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<td>$200,000</td>
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<tr>
<td>Texas</td>
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<td>$14,000</td>
<td>$200,000</td>
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<tr>
<td>Utah</td>
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<td>$200,000</td>
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<tr>
<td>Vermont</td>
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<tr>
<td>Virginia</td>
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<tr>
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<tr>
<td>Dakota</td>
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<td>$200,000</td>
<td></td>
</tr>
<tr>
<td>Total State</td>
<td>$6,109,550,700</td>
<td>$5,191,850,500</td>
<td>$19,000</td>
<td>$14,000</td>
<td>$200,000</td>
<td></td>
</tr>
</tbody>
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Source: U.S. Office of Education. Thermafax copy of table 3 taken from manuscript of "Financing Public School Facilities," unpublished at this date.

### Chapter 9. Education

Throughout their history, the American people have adhered strongly to the philosophy of popular education for citizenship. During colonial times and the early days of the Republic, voluntary secular groups, religious societies, and the family were largely responsible for the maintenance of schools. Very early, however, a public responsibility became recognized. In New England later in other colonies, although from that time to the present, private and religious schools have continued as a very significant supplement to publicly supported education.

Beginning in the second quarter of the 19th century, the movement for universal primary and secondary education led to a tremendous growth of public schools throughout the country. Although local school districts or similar areas assumed the responsibility for public education, most of the State governments began to give financial support and to set minimum educational standards. Although responsibility for the immediate control and support of the primary and secondary school system is still in the school district, the role of the State governments has steadily expanded.

The educational activities of the National Government have been varied and do not make up any clearly defined pattern. In the Ordinance of 1785 and in later instances, grants of public lands were authorized to help States and Territories establish school systems. Significant as these grants were, they constituted single transactions and did not form a continuing national program of action for the support of education.

### Role of the National Government

Of all the existing Federal programs, the activities of the Office of Education of the Department of Health, Education, and Welfare are most directly related to the promotion of education. The Office of Education conducts research, provides information and service to school authorities and to Government agencies. It administers the activities of the Federal Hazardous Substances Health Education Program, provides assistance to schools, provides leadership and compiles and publishes statistics and bulletins, and performs varied service activities. It administers the temporary programs for the use of educational and research funds, such as the construction and operation in federally affected areas. It also administers grants to States in support of education. It also administers programs for land-grant colleges and the program of aid to vocational education, started in 1917. While vocational education is now tied to general education more closely than it used to be, the Federal program grew largely from an interest in promoting certain vocational skills, and not education generally.

Most Federal activities in support of education have been incidental to other national objectives. Assistance to land-grant colleges, agricultural extension programs, and agricultural research have all been designed to improve agriculture. Aside from these specialized grants-in-aid, funds have been provided to institutions of higher education in support of ROTC and other training programs, to encourage research and graduate education. None of these latter programs, of course, has as its object the support of education in general, and none is administered by the Office of Education. During the 1930's, the emergency public-works program, established for the purpose of providing employment, included many school building and architectural projects. Another program—grants for construction and operation of schools in areas especially affected by Federal activities—is an outgrowth of the impact of large wartime and defense installations on certain communities.

The cash and commodity grants to the States and to private nonprofit schools for school lunch programs are intended to provide school children with a balanced diet, encourage the consumption of food products, and prevent waste of food surpluses. School lunch programs are not directly related to the support of education, but could be noted here because the program is administered nationally by the Department of Agriculture.

The following is a list of the important features of the Federal programs, direct responsibility for general public education has been left with the States. Functions of primary and secondary education are generally carried out by local units. The extent of participation by the State governments varies widely from State to State. The American people can take pride in the accomplishments of State and local governments in the continued extension of educational opportunities. Financial support has on the whole been generously provided and standards have steadily risen, even in the less wealthy States. There is ample room to regard State and local control of education as one of our most prized traditions. The Committee is not commenting on the problems which confront our educational system as a result of the impending increase in school population and the resultant need for additional classrooms, or the existing shortage of teachers, but it believes that the American people will address these problems vigorously to their responsibilities in this matter.

That the primary responsibility for the support of general public education should continue to rest with the States and local
units is not in dispute. But there are disagreements in determining the nature of national responsibility, and in deciding how this responsibility should be discharged.

Since the early years of the Republic, our citizens have insisted upon free public education. In Madison's words, popular government, without popular information, or the means of acquiring it, is but a prologue to a farce, or perhaps a tragedy. It is beside the point and completely unnecessary to justify a national interest in education solely upon considerations of national defense or population mobility. Although organized as a Federal system, ours is one nation, and there is an inherent and legitimate national interest in an educated citizenry, whether organized as a Federal system or not. Only in this way can the national interest in an educated citizenry be served.

But there is nothing incompatible between the national interest in an educated citizenry and our tradition of leaving responsibility for general public education to the States. The national interest in education, like many other national objectives, is best confined to research, advisory, and clearance functions such as current federal aid makes possible.

It remains to apply these general considerations to existing Federal programs and to the proposal of Senator Morse to support agriculture as a public policy, directly to nonprofit private schools in the States that prohibit any State payments to private schools.

In the fiscal year 1953, the National Government has provided money for schools in what are legally defined as generally affected areas. Conditions of eligibility and allotment criteria are provided by law. Grants are made directly to school districts, and matching is not required. Payments are now authorized up to June 30, 1956.

The Commission recommends that legislative authorizations be continued for grants for school construction and operation in federally affected areas for such time as the need exists. The existing legislation properly recognizes the obligation of the National Government to support education in areas where increased school enrollment arising from activities of the National Government places a substantial and continuing burden on local educational authorities. The National Government has already assumed the major responsibility for supporting vocational education. The 17 percent Federal contribution is a national interest and need for expanding the whole school-lunch program.


2Chapter 6, on agriculture, has dealt with some of the Federal programs affecting agricultural education directly-in the land-grant colleges. However, the Commission believes that the time has arrived to consider these programs in the light of the broader national issues and their inter-relationship to other aspects of National-State relations in the field of higher education.

mission recommends (1) the continuation of commodity donations as long as these stocks continue to be acquired and held as surplus by the Federal Government; and (2) the reduction and elimination of cash grants after a reasonable period of time, with the States and local governments bearing responsibility for full responsibility for the cash financing required.

Federal cash grants and commodity donations have played a major part in developing this highly beneficial program. That these grants have largely accomplished their purpose is evidenced by the increase in expenditure by States and local contributions and payments by parents. It would seem that from here on the Commission should recommend continuation on State action to reach additional schools and more children. In any event, the support of the National Government will continue for some time through substantial commodity donations; this support should be expanded, if feasible. With such support, the States and local governments should, and can, assume full responsibility for the cash payments needed to supplement commodity donations. The National Government's responsibility for support of nonvocational agriculture as carried out within the tax-exempt status of Federal and local governments and the tax-exempt status of Federal and local contributions and payments by parents.

The Federal Government should, therefore, continue to support these programs to the extent that it still seems advisable to continue support of these programs to the extent that it still seems advisable to continue support of the milk program in 1954. The 17 percent Federal contribution is a national interest and need for expanding the whole school-lunch program.

By Dr. Anderson and Congressman Hayns comment:

"We would go along with the recommendation of the Commission to reduce and ultimately eliminate the Federal cash grants for school lunches if we could be sure that the elimination of these grants would not endanger the whole school-lunch program. We believe that Federal funds are not needed to keep the program going, and that the parents should supply all the cash needed for the lunch program, but the Federal cash contribution has been found to be an indispensable factor in the program's success, and we believe the program to be of national importance."

6Senators Humphrey and Morse disssent.

"National cash grants and commodity do-
nations have together played a major part in developing this highly beneficial program. The Federal Government has therefore continued to supply cash grants in addition to surplus commodities so as to encourage expansion of the school-lunch program. These grants are necessary to achieve a balanced program and balanced diets which surplus commodities alone will not afford."
tional programs in the States and localities. The Commission recognizes, however, that resources may be needed from time to time to accommodate new types of training deemed vital to the national interest.

ELEMENTARY AND SECONDARY EDUCATION

Notwithstanding recordbreaking State and local expenditures for education in recent years, the Nation is faced with a current shortage of educational facilities arising from a backlog accumulated in years of depression, war, and material shortages. On top of this, the unusually sharp rise in the birthrate following World War II has resulted in an increase in elementary and high school enrollment from about 29 million in 1952 to nearly 39 million in 1959. In some areas, the situation is complicated by heavy population migration; in others, by the Supreme Court decision on racial segregation.

All this adds up to a serious immediate shortage of buildings and teachers. School construction reached an all time high in 1954, but must rise to an even higher level if the backlog is to be wiped out and coming needs met. Operating expenditures, although they too are at new heights, must be substantially increased.

VIGOROUS STATE ACTION REQUIRED

The Commission believes that State and local governments, and particularly the States, have the capacity to meet their educational needs. Operating expenditures, although they now stand at new heights, must be substantially increased.

The Commission recognizes fully the paramount importance of education to the national interest. It is upon this premise that the Commission's recommendation and report are based.

The property proper course for the support of schools will make the task of school administration even more complicated and difficult. While it is conceded that grants-in-aid have served to stimulate local and State spending, the Commission believes that a higher level of government may be needed to meet the serious immediate emergency. The Commission, realizing that the welfare of the Nation is directly involved, has given serious consideration to the difficult question of Federal aid to education.

The Commission, realizing that the welfare of the Nation's children is directly involved, has given serious consideration to the difficult question of Federal aid to education. The Commission believes that the control of our free public school system from Washington is wholly undesirable. The wealth of the Nation is too widely scattered. Instances this wealth is as available to them as to the National Government. All taxes, generally speaking, come from the same pockets. When we send tax dollars to Washington that are ultimately intended for local use, we increase the power of centralized authority and the cost of administrative overhead.

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Dr. Anderson concurs with the substance and spirit of the Commission's recommendations. He believes that Federal assistance for education is needed if the United States is to maintain its position as a world power and if all our citizens are to live up to our democratic ideals. "I believe that the primary responsibility for the support of education should remain with the States. I see no objection in principle and no sound reason to fear Federal aid for school construction or for the support of general elementary and secondary education. We believe that the needs of the Nation for an adequate education outweigh the amount of aid of these the amount of aid is insignificant."

Governors Driscoll and Thurston concur in the Commission's recommendation and add that "It is generally agreed that a great strength in our public school system is its grassroots appeal. The more universally the State has encouraged the intense desire to keep the management of their school system as close to the schoolhouse as possible, the more widespread is the feeling that when the financial support for local schools is substantially supplied by governments outside the community, local interest in the schools tends to diminish. From a practical point of view the division of responsibility between State and local governments presents administrative difficulties, with support for schools occasionally being delayed while the governments involved resolve administrative differences with respect to control or such agreement on the share of the burden. The introduction of a third level of government in the fiscal program for the support of schools will make the task of school administration even more complicated and difficult. While it is conceded that grants-in-aid have served to stimulate local and State spending, the Commission believes that a higher level of government may be needed to meet the serious immediate emergency. The Commission, realizing that the welfare of the Nation's children is directly involved, has given serious consideration to the difficult question of Federal aid to education. The Commission believes that the control of our free public school system from Washington is wholly undesirable. The wealth of the Nation is too widely scattered. Instances this wealth is as available to them as to the National Government. All taxes, generally speaking, come from the same pockets. When we send tax dollars to Washington that are ultimately intended for local use, we increase the power of centralized authority and the cost of administrative overhead.

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Mr. TALMADGE. Mr. President, the hundreds of letters I have received since proposing my amendment are proof of the heartfelt desire of the people of the United States to continue to administer their schools and presently finance on the local level, in accordance with local wishes and conditions.

The issue of Federal versus local control of education is one which can be resolved only by letting the people speak for themselves. And the one way through which Congress can do that is to send the constitutional amendment along the lines I have suggested for the ratification or rejection of the people's elected representatives.

I know of no more eloquent way in which to demonstrate to the Senate the depth of public feeling on this issue than to make available for the reading of its membership some of the many newspaper editorials, columns, and news stories commenting upon the Talmadge school amendment.

There being no objection, the material was ordered to be printed in The Record.

[The Atlanta Constitution, Jan. 28, 1959]

VOCES OF REASON HEARD ON SCHOOLS

On the school problem three voices have been heard this week that should check the stampede away from reason and law.

Speaking from years of observation and experience, an 82-year-old southeast Georgia judge told his court he doubts that any private school plan can ever take the place of public education. The Judge, J. L. Renfroe, of the Ogeesee circuit, said further, "... we need people with courage to speak out constructively on the problem."

The day following the judge's statement, a helpful voice was sounded from a high source.

Senator HERMAN TALMADGE told fellow Senators and the Nation he recognized that the Supreme Court's school decision is an accomplished fact which will remain so until it is either reversed by the Court itself or modified by Congress or the people.

In the next breath, the Senator said most southerners find the decision unacceptable and don't aim to change their opinion any time soon.

But, he said, there is a constitutional way out, through local self-determination. He introduced a constitutional amendment under which, in his view, each State with Congress would give the people of America -- the opportunity to reclaim their constitutional right to run their schools on the local level according to the wishes of the local people.

"Like Judge Renfroe," Senator TALMADGE, of Georgia, in his speech delivered Tuesday on the floor of the Senate, seeking a constitutional amendment to return control of schools to local authorities, did not have a necessary service for his State and region.

He became the first Deep South Senator or Congressman publicly to state the Supreme Court's decision as a constitutional unmindful accomplished fact which will remain so until it either is reversed by the Court itself or is modified by Congress or the people."

For saying just that, ministers, editors, and people of the South who have been abused and stunted by forces located by those extremists who preached only defiance, it is almost incredible that such a simple statement of fact and reality should not before have been made by a Deep South Senator or Congressman. But such was the miasma of fear and distortion of truth that it had not heretofore been uttered.

That it should have come from Senator TALMADGE is itself a phenomenon, chiefly those outside his native State. But it will not so affect those who know him well. He is a politician of consummate skill. But he has the courage and the hard-won respect of all who have been with him.

Governor Battle and Senator Snowbery comment:

"Should it be determined that any State does not have adequate tax resources to provide secondary classrooms and related facilities well equipped at an estimated cost of about $28 billion."

"We agree with the Commission's recognition of the paramount importance of education to the national interest. In view of this importance, we do not feel that the solution to the urgent education needs should be sought until the States comply with economic and constitutional limitations. We do not believe the Commission is justified in establishing a more rigid standard for a Federal grant-in-aid program in education than it has applied to other programs of lesser importance to the national interest."

"Senators Humphrey and Moss here want to point out that there has been a historical pattern of some Federal aid to education which has had adequate tax resources to provide adequate physical facilities for elementary and secondary schools. In such cases, Federal financial assistance in the form of loans, loan guarantees, grants-in-aid, or a combination of these devices would be justifiable."

"Mr. TALMADGE declared his faith in public education and the need for its continuity.

The third voice of reason came Tuesday from the Georgia State House of Representatives. A bill before the Georgia Legislature which would set a ceiling on the age at which a student could be admitted to undergraduate or graduate school.

May the legislators hear these constructive voices and take a long look lest they pass laws, inevitably to be short-lived, which in their short lives do education much more harm than good. To repeal the State's compulsory attendance law, for example, would be to nullify a century of educational progress.

But let them consider the basic tenet of Senator TALMADGE's brief for his amendment—the right of people at the local level to run their schools as they wish.

Applying that tenet to the local school districts, letting each district work out its problem in its own way and in its own time, will break the deadlock and remove the threat that would wipe public education from the face of an entire State.
that the Court's action was constitutionally valid. They have said privately, "We know it is inevitable that the schools close unless some positive action is taken." But publicly they may say the opposite. For the mob, the haters, the minds which think in terms of bombing churches and schools, by the most outrageous willful act, have destroyed the Court's authority in law and in fact. Even some of the most adamant and determined opponents of the Court decision have been shocked and dismayed by the recklessness and demagogic depth of their statements.

The problem is a problem for themselves should be the first to admit and they have encouraged the mob, the haters, vilification and denials "whether government or law. Even some of the most adamant Court decision. But he has the necessary self-government. The Court said right out loud that like or not, legal or not, constitutional or not, the public schools are effective and here to stay unless it is reversed, modified, or nullified.

The amendment he proposed would spell out the sovereignty of the States in the matter of schools. Such is the climate of the times that its passage is doubtful. For another thing, the people have been so negative that the country and Congress are in the habit of not listening when the floor is theirs.

Senator Talmadge's new departure and his realistic view of the matter will help create a more sympathetic audience for the South when it matters, outside the South. To further this cause he plans another address Thursday before the annual meeting of the Association of Cotton Textile Merchants in New York.

The Senator had some persuasive words to say about the need for Congress to face facts, thus going about the negative kind of leadership their people are demanding.

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The speech was a panegyric, a virtual paean, in behalf of public education. "With the exception of seeking the salvation of his immortal soul, the senator has no greater responsibility than seeing that his young are educated to the fullest extent of their abilities."

The essence of the talk was in similar vein, written in prose that was sustained throughout. It gave the impression that here is a man who believes in public schools. That was one of the messages of the address.

The other was really the instrument by which he sought to convey not the introduction of a constitutional amendment to turn the management of schools back to the States and communities.

To TALMADGE, the consent of both the State and local community would be necessary before either could integrate. That would take his proposal out of the stricture local option category.

However, as TALMADGE and everybody else knows, that question is beside the point of every becoming law. He well knew that some folks back home might object to public expenditure that the Supreme Court's 1954 school desegregation ruling is an accomplished fact, whether southerners like it or not.

And it must have given TALMADGE long pause before he, as author of the private school plan, publicly admitted that the closing of public schools would be a tragi.

The junior Senator from Georgia, therefore, could scarcely be accused of submitting his constitutional amendment plan solely to get the South's viewpoint on school integration story that began on page 1. This reporter, of course, could not see all the single solitary story completely. While three others buried the story at the bottom of page 3.

The New York World Telegram, with nine paragraphs beginning under a two-column head on page 1, gave it the most prominent display of any of the northern papers checked.

The New York Post prominently carried an NAACP charge of persecution in Monroe, N.C., and a story on the Alabama case, but nothing on the Talmadge proposal.

In Chicago, the Tribune had a story on the Alabama case and a civil rights case in Amsterdam, N.Y., a story on the racial situation at Crestview, Fla., but not a line this reporter could find on the Talmadge story.

The Chicago Daily News gave the Talmadge story a prominent spot and six paragraphs on page 3.

The Chicago American carried nothing on the Talmadge proposal.

The Baltimore Evening Sun likewise omitted the Talmadge story in its Tuesday edition.

The Baltimore Sun's morning edition of Wednesday also completely ignored the Talmadge proposal, but carried the Alabama and the Americas, Ga., stories on page 1.

The Philadelphia Evening Bulletin gave it seven paragraphs and a two-column head at the top of page 10.

The Boston Globe ignored it, and so did the St. Louis Post-Dispatch, the Detroit Free Press, and the Milwaukee Sentinel.

The Detroit News had a nine paragraph story at the bottom of page 34.

The Pittsburgh Post-Gazette had nothing.

The Philadelphia Inquirer tackled three paragraphs inside on the end of a Norfolk integration story that began on page 1.

It may be, as one veteran Washington bureau chief of a big midwestern paper remarked sarcastically, that a constitutional amendment proposal in Congress is "an exercise in futility, undertaken only for home consumption."

But many of the correspondents for individual newspapers.

But in many instances those stories did not see the light of print.

Of course, the northern press could not be expected to give it either space or the play that southern papers did. But a spot check of northern papers on the day of the Talmadge speech and the day after revealed a rather shocking omission * * * or at best a cavalier treatment * * * of a very serious proposal to one of the most divisive issues of our time.

Not all of the southern papers carried the story or gave prominence it seemed to deserve, but most of them did.

However, out of 22 big city northern papers surveyed, 11 ignored the Talmadge story completely, while three others buried it deeply inside.

Only four of these northern papers played the story fairly, and as of these only one — the New York World Telegram — found it worth page one. Four other northern papers gave the story reasonable space but obscured locations inside.

This reporter, of course, could not see all of the editions of all the papers checked.

The speech was first released, and the morning editions of the next day:

Here in Washington, The Evening Star, normally very fair in presenting the south side in its news columns, gave the Talmadge plan a short story, buried inside, in its early editions, but left it out entirely in the same edition.

The Washington Daily News gave inside prominence to a civil rights controversy in a brief story but brushed the Talmadge proposal off with one paragraph.

The Washington Post and Times Herald, and the Washington Star, the papers that play the South while downplaying those in the North, gave the Talmadge story six paragraphs under a small headline on page two.

The New York Times gave it nine paragraphs on page 20 under a one-column heading.

The New York Herald Tribune gave it a good ride — 11 paragraphs under a two-column headline top of page 3.

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The Philadelphia Evening Bulletin gave it seven paragraphs and a two-column head at the top of page 10.

The Boston Globe ignored it, and so did the St. Louis Post-Dispatch, the Detroit Free Press and the Milwaukee Sentinel.

The Detroit News had a nine paragraph story at the bottom of page 34.

The Pittsburgh Post-Gazette had nothing.

The Philadelphia Inquirer tackled three paragraphs inside on the end of a Norfolk integration story that began on page 1.

It may be, as one veteran Washington bureau chief of a big midwestern paper remarked sarcastically, that a constitutional amendment proposal in Congress is "an exercise in futility, undertaken only for home consumption." Some news editors evidently share that view.

[From the Atlanta Journal]

SCHOOLS CONTROL — TALMADGE WANTS ALASKA'S RESOURCES

(By Harold Davis)

WASHINGTON, February 4 — Amateur constitutional lawyers in this Capital City were addressing themselves to a freak problem this week — whether the new State of Alaska has been admitted to the Union with more rights and privileges than are enjoyed by some of the older States.

The question has been in the air here for some time.

It was brought to the fore last Tuesday by Senator HERMAN E. TALMADGE. In an address to the Senate, he said that Georgia enjoys more special privileges than Congress gave
The exclusive control language in the Alaska Act is regarded as of little importance by many Senators and Congressmen who voted for it. Only the courts could say whether it is really significant and whether some of the newer senators and Congressmen of whom some of the old ones do not now enjoy. It would take a first-rate constitutional lawyer to carry the question to the courts in proper form.

[From the Thomasville (Ga.) Times–Recorder]

PEACE FOR SENATOR TALMADGE

In a masterful address in the U.S. Senate a few days ago, Senator Herman Talmadge, Georgia's junior representative in the upper house of Congress, introduced a proposal which would give to the various States the constitutional right to control their own schools, declaring they enjoy a right which the Supreme Court had denied.

All Georgians and citizens throughout the South have been loud in the praise for Senator Talmadge's proposal, and the Senator has received much commendation from fellow Senators from other sections of the Nation.

The proposal calls for a "constitutional amendment which would vest exclusive administrative control of public schools in the States and their political subdivisions." Co-sponsors of the amendment are Senators Byrd and Robinson, of Virginia; Hill and Spearman, of Alabama; Eastland and Overton, of Mississippi; Johnston, of South Carolina. Senator Richard Russell, of Georgia, who made the proposal, said he would not ask any legislation, told the Senate he commodated and congratulated his colleague for having placed himself with all that was said by Talmadge.

The proposed amendment would allow State and local governments to decide how schools should be operated and whether or not they would be integrated. Senator Talmadge noted that the Supreme Court's school decision was an accomplished fact and pointed out that the only way its decision can be reversed is by the Court itself or by Congress. In carrying the case to the people, Talmadge has decided down what will undoubtedly be a long, long path, since constitutional amendments such as he proposes require a tedious process to be passed through before enactment.

Actually there appears to be scant hope that the action which Talmadge requested can be completed before the close of the session. The bill will go in the cull, Talmadge's plan. Senator Talmadge's secretary said at least 11 statehood bills of past decades have had identical or similar exclusive control language.

A spot check of some now ancient statehood acts shows that on February 22, 1899, Congress passed enabling legislation for the State of Utah. Later that year brought four new States into the Union: North Dakota, South Dakota, Montana and Washington.

Each of these had exclusive control of its school system provided in the enabling act. In July 3, 1896, enabling legislation for North Dakota was passed. A bill was OK'd for Wyoming. Both enabling acts contained the exclusive control paragraph.

The same was true for Idaho (July 16, 1894), for New Mexico (June 29, 1910), and perhaps for others.

In the U.S. Senate, statehood legislation passes through the Interior and Insular Affairs Committee.

A high-ranking member of that committee's staff was asked what the proviso means now and what it meant when it first began to be used decades ago. "I'll be doggoned if I know," the official said.

It is possible that the paragraph had a special meaning when it first was used, a significance now forgotten by history. And as Senator Talmadge loves tradition and dusty precedents just preserved the language because that was the way a new State was admitted.

The Senate is so tradition minded, for example, that silver snuffboxes filled with silver snuff are adored in the Chamber. A member has used snuff since way back when.

The exclusive control language in the Alaska Act is regarded as of little importance by many Senators and Congressmen who voted for it. Only the courts could say whether it is really significant and whether some of the newer senators and Congressmen of whom some of the old ones do not now enjoy. It would take a first-rate constitutional lawyer to carry the question to the courts in proper form.

[From the American (Ga.) Times-Recorder]

PROUD OF SENATOR TALMADGE

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The Senate is so tradition minded, for example, that silver snuffboxes filled with silver snuff are adored in the Chamber. A member has used snuff since way back when.
The destruction of public education in an entire region of our Nation would be an unparalleled catastrophe. The concept of universal education, more than paralleled catastrophe.

The appalling consequences of a failure to reconcile differences are spelled out in the concept of universal education, more than in the lurid headlines which, at one time in the South, was beginning to crack the hard crust of hate and racial prejudice.

The Congress and the Nation could very well find it in the country's interest to take Talmadge to task. Senator Talmadge and the Southern States. Senator Talmadge offers a way out of the dilemma that faces those who resist the Supreme Court's insistence that segregation be abandoned in the schools.

Here is the proposed amendment:

"Administrative control of any public school of one State or political subdivision which operates any public educational system operated by any State or by any political or other subdivision thereof with respect to any State or political subdivision and nothing contained in this Constitution shall be construed to deny to the residents thereof the right to vote on the school decision is an accomplished fact which will remain, so untill it is either reversed by the Court itself or is nullified or modified by Congress or the people."

Talmadge's leadership in the South's dilemma. The atmosphere that exists today, it is, in all probability, the only way out. Otherwise, as Senator Talmadge warns, the South faces an unparalleled catastrophe of wholesale school closing.

The Senator seems to be issuing a final call, a final rallying point in an effort to stave off the inevitable blow which will tumble the people of the South to its depths from which it took so long to rise.

In his speech, Senator Talmadge caught the temper of most thinking southerners. His calm plea stands out like a beacon, in contrast to the emotional stampede now on the Supreme Court ruling only to have them struck down as unconstitutional.

Just how far the Talmadge amendment will get is not clear at this time. There will be a great deal of opposition to it, of course, but it is possible that an appreciable number of those favoring integration might support the idea of education being controlled by the States. Senator Talmadge's leadership in this movement will be widely applauded, we are sure. It is a long-range attack on the problem of the interest of maintaining segregation in the schools of the South and many battles will be fought while the proposal is pending.
Senator TALMADGE argues that the amendment, which requires a two-thirds vote by both Houses of Congress and ratification by three-fourths of the States, "is compatible with everything that is American." The judge goes on to say:"It is the American way. It is the constitutional way. It is the way of reason and common sense."

Senator TALMADGE has produced an instrument that would solve the problem from the South's point of view if it could be passed. While it is not the quickest method of an uphill battle to put the amendment across, he is to be commended for the courage of the effort.

[From the Savannah (Ga.) Evening Press, Jan. 27, 1959]

TALMADGE HITS NAIL ON THE HEAD

Georgia's Senator Herman TALMADGE sees his proposed constitutional amendment to restore the right of local people to run local schools, as an attempt to sidestep a present approach to the dilemma created by the Supreme Court's school segregation decision, and first examination of the plan he advanced Monday is a healthy contrast to the political opportunism that has been indulged in by the Congress regarding this social and moral problem that surrounds this issue.

In addressing the Senate today, the Senator rightly deplored the "unspeakable hypocrisy of using children as pawns of political men who don't like it or not, the overwhelming major­ity of the people of the South will neither accept nor submit to the forced implementa­tion of any plan decided upon by the Federal Government, which we strongly endorse, would not only be contrary to the principles of local self-gov­ernment and our own Constitution and the oath we have taken in support of the Constitution and the laws of the United States." The measure, introduced Tuesday by Sen­ator TALMADGE, with seven southern cospon­sors, calls for the right of the States and their sub­divisions to control public education. It would vest "ad­ministrative control of any public school, public school education institution, or public education system" in the State or political subdivision which operates it. The measure, approved by the Senate, may be credited with averting a national catastrophe. For this Nation has been without a national code of education for 5 years following the Supreme Court's perversion of our system of justice with a "token" solution of the races in public schools. It has been made abundantly clear that the people of the South cannot accept this order or, if it is, the overwhelming major­ity of the people of the South will neither accept nor submit to the forced implementa­tion of that decision and there is no pros­pect of either changing its present position within the foreseeable future."

How to get out of this stalemate? Force would be in control of education, but the answer is not the answer. "Rearing a generation in ignorance is not the answer," he said. "TALMADGE for this fellow lawmakers is contained in a return to the concepts of self-government upon which this Nation was founded. In removing external pressures seeking to force compliance with unaccept­able directives and edicts and rather per­mitting local school patrons to determine for themselves the manner in which the schools attended by their children shall be admin­istered."

To accomplish this, Senator TALMADGE's proposed amendment would read as follows: "Administrative control of any school, public educational institution, or public educational system shall be vested in the State or any political or other subdivision thereof shall be vested exclusively in such State or political or other subdivision, not the Federal Government. This Constitution shall be construed to deny to the residents thereof the right to determine for themselves the man­ner in which any such school, institution, or system is administered by such State and subdivisions."

Senator TALMADGE has long been a staunch advocate of the principles of local self-gov­ernment and determines that his amendment would reaffirm these prin­ciples in the light of modern pressures to tend to weaken them. He refers to the very words of the Declaration of Independ­ence that government derives its just powers from the consent of the governed, and the founding fathers, in the wording of this document, with a refutation of this cornerstone of our freedom. This newspaper believes that Senator TALMADGE is in the wrong on the present situation in the United States, we trust the Congress and the people will give it the serious consideration it merits.

[From the Savannah (Ga.) Morning News, Jan. 28, 1959]

TALMADGE AMENDMENT

We venture to predict that the Talmadge amend­ment to solve the integration crisis is the most important piece of legislation bearing on domestic policy to be before the Congress in many a year.

The measure, introduced Tuesday by Sen­ator TALMADGE, with seven southern cospon­sors, calls for the right of the States and their subdivisions to control public education. It would vest "ad­ministrative control of any public school, public school education institution, or public education system" in the State or political subdivision which operates it. The measure, approved by the Senate, may be credited with averting a national catastrophe. For this Nation has been without a national code of education for 5 years following the Supreme Court's perversion of our system of justice with a "token" solution of the races in public schools. It has been made abundantly clear that the people of the South cannot accept this order in good conscience. If it is not coun­tered in some way, we face the possibility of closing our public schools in Georgia and other Southern States. The solution to this problem of our democratic system would thus be under­mined, and chaos would be the inevitable result.

This need not be the course of events, however, if steps are taken to correct the evil that has been done. It is up to the States to reverse the Supreme Court's decision and write a new law without the evil that has been perpetrated by the judicial branch. The Talmadge amendment would serve to clarify our concepts of democracy. It would enable the people, in clear violation of the Constitution, to prevent certain irreparable harm from be­falling the public school systems in many Southern States.

The amendment would simply spell out the fact that public education is the exclu­sive right and responsibility of the State and local subdivisions, not the Federal Government. Certainly there is nothing wrong with this concept. The act which granted statehood to Alaska says specifically "the schools and colleges provided for in this act shall forever remain under the exclusive control of the State, or its governmental subdivision." Are not existing States en­titled to the same consideration? Are not the States at least entitled to vote on a con­stitutional amendment to provide uni­formity in this matter?

The sign of Senator TALMADGE's proposal was headlined on page 1 of newspapers throughout the South, and most of them carried the story of the ruling as a "token" integration.

The significance of the Virginia case, how­ever, far outweighs the rather small breach that was brought to their attention. It would help if
CONGRESSIONAL RECORD — SENATE  
February 19

Congress started receiving some mail on the subject from places other than Dixie.

[From the Augusta Chronicle, Jan. 28, 1959]  
A PRACTICAL SOLUTION

Senator HERMAN TALMADGE, of Georgia—speaker of the Georgia Senate, chairman of the Senate Joint Committee on Constitutional Amendments—has proposed a solution to the problem of school integration that conforms to all of the requirements of due process, equal protection, and the constitution of the United States. He has proposed in the Senate an amendment to the Constitution of the United States vesting exclusive administrative control of the public schools in the States and their political subdivisions.

The Talmadge amendment is as follows: "Administrative control of any public school, public educational institution, or public educational system operated by any State or by any political, or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in this section shall be construed to deny to the residents thereof the right to determine for themselves the manner in which public schools within the State or subdivision is administered by such State and subdivision."

In other words, Senator TALMADGE proposes to allow the people of the United States to decide in the several States, whether or not their schools shall function on an integrated basis; and so far as the 14th Amendment is concerned, to be ascribed to the residents thereof the right to determine for themselves the manner in which public schools within the State or subdivision are administered by such State and subdivision.

In so doing he has offered a way out of the catastrophic situation into which the Nation has been plunged by the relatively small but powerful group in Washington who, in the guise of the "South," are seeking to take over the administration of the public schools in their faces.

"In presenting the proposed amendment in the Senate, Senator TALMADGE said that he spoke out for the voiceless masses—"just for the people themselves, with the ultimate authority in government in the United States."

Because of the friendship and respect he has for the American people, the Senator believes that the Constitution should be amended only for the good of the Nation and for the good of the individual. In his view, the proposal of Senator TALMADGE has called upon the people to let Senators and Congressmen decide on the right of the people to govern themselves. It is a proposal that is asking too much from those who have enjoyed the freedom which these shoeless soldiers that they shall take the time and trouble to write letters in an effort to preserve the right of the people to govern themselves.

TALMADGE has told his fellow U.S. Senators in proposing a way to solve the integration crisis, "Bill as record as one of the most practical suggestions as yet put forth for ending the crisis, but also is the most important piece of legislation concerning domestic policy to come before Congress in many years."

After saying that a realistic appraisal of the facts of the matter affords no conclusion but that Southern schools are not ready to close, TALMADGE stressed, that it was time that someone spoke out "in behalf of the American people, and the disenfranchised exhibitions of statesmanship of recent decades."

The Junior Senator's measure, introduced with the support of seven Southern co-sponsors, proposes a constitutional amendment vesting exclusive administrative control of the public schools in the States and their political subdivisions. This, the Herald believes, is not only the most practical suggestion as yet put forth to end the crisis, but also is the most important piece of legislation concerning domestic policy to come before Congress in many years.

"Federal bayonets are not the answer," said Senator TALMADGE, "that the Nation be torn asunder and the schools of the South destroyed, action must be taken soon to resolve the issue on a realistic, constitutional basis."

Historians of the future, he said, will regard as one of the gravest and most costly mistakes of recent history the decision of the United States Supreme Court to make judicial questions out of matters of human relations which the Founding Fathers of the Nation in their historic declaration that the very basis of our Government is that it derives its "just powers from the consent of the governed."

The Chronicle also believes that government by popular subscription, and the consent of the people themselves and that the American people are intelligent enough and wise enough to make right decisions on any crucial issue when they are in full possession of the truth.

In this case all that Senator TALMADGE asks is that the people be allowed to make their own decisions on the question of school integration. It is the only way to end the crisis, but also is the most important piece of legislation concerning domestic policy to come before Congress in many years.

"Federal bayonets are not the answer," said Senator TALMADGE. Although saying that he recognized that the Supreme Court's decision is an accomplished fact which will remain so until it is either reversed by the Court itself or modified by Congress or the people, TALMADGE pointed out that Members of Congress and Senators find the decision unacceptable and do not aim to change their opinion any time soon.

TALMADGE's voice was all the more the voice of calm reason, but the crucial question, of course, is whether Congress is yet ready to listen to reason on any kind of the issue. Some, the Herald fears against its wishes, the Nation's lawmakers, either for political opportunism or for fear of blushing before their constituents, will not and do not wish to change their opinion any time soon.
between the North and the South will continue its perilous trend.

Be that as it may, historians of the future probably will agree that in the short term President Eisenhower's plea for domestic peace as one of the most forceful of its time—and as one of the most momentous the Senate has ever heard.

[From the Augusta Herald, Jan. 31, 1959]

TALMADGE PROPOSAL NEEDS BACKING

There can be little doubt in the minds of many Southerners—probably in the interest of self-government and having a voice in the laws that are made—that Senator Talmadge's constitutional amendment proposal is not vesting exclusive control of all public schools in the States themselves will have rough sledding.

There are many factions, too much political pressure being brought to bear in the North for many Congressmen to go along with the idea.

If TALMADGE's constitutional amendment passes and is ratified, it will take public opinion to do it.

The Georgia Senator is asking all Americans to let their Congressmen know their views. There is no better way of establishing what the people really think than by doing exactly what he asks.

This amendment could well be the solution to an educational problem that was born of political scheming and nursed by irresponsible radicals until it has grown into an infamous disaster for democracy in tragic human terms.

The Senate has never heard a more realistic, constitutional basis. This belief is the essence of statesmanship of the high-water mark of Senator Talmadge's research and understanding of the problem. If the President had been more perceptive to "Administrative control of any public school, public educational institutions, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State or subdivision, or in the third alternative, that of neither accepting nor nullifying the presidential edict. Our President apparently realized his error in judgment too late.

Regarding Senator Talmadge's proposal, the President stepped aside from comment, saying, "* * * I wouldn't have any authority to support a constitutional amendment, until I had studied and looked at it."

That is the usual procedure for Chief Executive—studying the proposal or bill before signing or committing himself pro or con.

It is unfortunate that President Eisenhower, as the President pro tem, has not yet made assurance that the Senate shall have due time to consider the proposal. It could have saved him considerable embarrassment at the press conference, and, had he exercised equally careful judgment in September 1957 he might have avoided national embarrassment and bitter feelings.

At any rate, as was pointed out some time ago by Senator Talmadge, the new State of Alaska does have legal authority to regulate its own educational system. The good people of that State will have the opportunity of that they sacrificed liberty for recognition.

The Herald, which did not favor statehood for Alaska for a number of reasons, nevertheless holds high admiration for these citizens. They were no Little Rock in Anchorage or Fairbanks.

Bear this new development in mind, it would seem inconsistent, to say the least, if the other 48 States were denied the privilege of administering their own education.

Senator Talmadge's bill grows in magnitude by the day.

[From the Albany Herald, Jan. 28, 1959]

SENATOR TALMDGE SPEAKS PLAINLY

In the angry-hot jumble of words and deeds which have attended the social crisis precipitated by the public school decisions of the U.S. Supreme Court, there has been no keener or fairer statement of the issue and no more equitable remedy proposed than that made to the U.S. Senate yesterday by Georgia's Senator Herman E. Talmadge. In that concise, forthright manner so familiar to his constituents, which has stamped the man as the leading political figure of the South, Senator Talmadge assessed the "two incontrovertible facts of the situation" in this plain fashion:

1. Regardless of whether one accepts it or not, the overwhelming majority of the people of the South will neither accept nor submit to the forced implementation of that decision and there is no prospect of any change in that position within the foreseeable future.

2. Regardless of whether one likes it or not, the authorizing majority of the people of the South will neither accept nor submit to the forced implementation of that decision and there is no prospect of any change in that position within the foreseeable future.

The issue, then, is starkly joined—and at ugly impasse. President Eisenhower's so-called "solution" of Little Rock, where Federal bayonets kept a handful of Negroes in the public schools last year at a cost of tens of millions of dollars to American taxpayers, resulting in the eventual closing of all the high schools of the community and the destruction of secondary education in an important city of the United States; and certainly not the "solution" of complete Federal control of education in the United States.

For, as Senator Talmadge was perceptive to observe, the "solution" of Little Rock spells disaster, not solution in raison d'etre terms. As for Federal control of education, the Senator points to "the abhorrent results we have witnessed in our lifetimes from the attempts by Nazi Germany, by Fascist Italy and by the Soviet Union to control education at the national level." As for a third alternative, that of the American Congress, it has setups which would compel an entire generation of southern children to forfeit their right to public education, the Georgian was wise to scorn "the unspeakable hypocrisy of using children as pawns of political expedients.

What, then, is the answer to this plaguing dilemma? First, in Mr. Talmadge's estimation, problems of a federal, a constitutional and a realistic, constitutional basis. This belief is the essence of statesmanship of the high-water mark of Senator Talmadge's research and understanding of the problem. If the President had been more perceptive to

Surely this is justice and fair play for all Americans of whatever racial or ethnic origin, who accept the American tradition in its highest and
SENATE

The one way in which those of us who face a national dilemma which is compatible with everything that is American and affords young a path for the Nation in the heart of its youth." The present and future generations of American ory in the spirit which he so obviously devoted to making the South's racial pattern and its public schools lies in realizing that in the final analysis, the real threat of disrupted public school systems in a vast segment of Southern will close their public schools before constitutional amendment be adopted. It will be for the suffers. The proposed amendment would permit saving grace in time of crisis—common sense.

[From the Albany (Ga.) Herald, Feb. 2, 1959] YES, WE REALLY NEED A LAW Senator Herman Talmadge has caught the public imagination with a proposal that would place all public education completely under control of the States.

And in the words of thousands of local cele­ brities (there were justified in assuming that an constitutional amendment would make the public education completely under control of the States.

When that Court handed down a decision long before segregation-integration had be­ come a burning issue, that "separate but equal" schools met fully the requirements of the amendments written into the Constitution in the post-Civil War period, the people were justified in assuming that an im­ portant matter had been disposed of. In 1896 when it overruled its de­ cisions were the law of the land. The matter was settled. "Separate but equal"—the Na­tion's highest Court had spoken.

But on May 15, 1954, that highest Court of the United States, in an opinion written by Chief Justice Earl Warren, made the astounding statement that it had been "wrong."

The Supreme Court decision was a great event in history. It captured in words the gloomy and tragic school contro­ versy. That it is our sincere hope that Senator TALMADGE's proposed amendment to the United States Constitution of the United States will nullify or modify any decision of the United States Supreme Court which would restore administrative control over public education to the States or unit of local government which operates them, performed one of the most significant acts of statesmanship in the his­ tory of the Senate.

TALMADGE BEGINS BIGGEST SELLING JOB OF HIS CAREER Senator Talmadge's proposal for an amendment to the Federal Constitution is based on sound reasoning and a true assessment of the urgency because of the crisis in public edu­ cation.

TALMADGE'S suggestion for amendment is not new. Congressmen Carl Vinson and others have likewise proposed amendments, realizing that the Supreme Court's decision is the South's best hope for preserving both its racial pattern and its public schools lies in limiting the authority of the Supreme Court.

In proposing his amendment, Georgia's senior Senator captures in words the gloomy picture confronting our schools:

"The closing of any school anywhere is a lamentable occurrence. "The closing of a public school system is a terrible tragedy."

"The destruction of public education in an entire region of our Nation would be an unparalleled catastrophe."

Yet a thorough analysis of the facts of the matter affords no conclusion but that that will be the inevitable result of binding the schools of the South into the chains of circumstance now being forged around them.

"And the real losers of such an eventuality will be the children of the South and their parents."

"With the exception of seeking the salvation of the schools, there is no greater responsibility than seeing that his young are educated to the fullest extent of their abilities and are equipped spiritually and intellectually to achieve mankind's highest destiny."

TALMADGE is hopeful that men of good will outside the South will see the impend­ ing calamity and will support his amend­ ment for the good of all America. Like most of us, he recognizes that two diametrically opposing views are destined for a head­on collision when some solution is reached. He believes this solution lies in local self-determination, based on the pecu­ liar locality.

The Talmadge amendment would specifi­ cally save to the individual States and politi­ cal subdivisions the exclusive right to deter­ mine the manner for administering the schools. It is designed to slam shut the door against unlimited interpretation by the Supreme Court in the public school area.

Mr. TALMADGE is a realist. He knows, as do all of us, that this amendment starts with two strikes against it. But he is count­ ing on the high national concern over the real threat of disrupted public school systems in a vast segment of the country to create a favorable climate for considering the amendment.

The Senator can be expected to carry the message of crisis and the hope for solution in the amendment to every part of the Nation during the coming week.

The amendment is legally sound. The real question is: Can it be passed? With disaster the only foreseeable alternative for many southern school systems, Senator Talmadge will be doing the most important selling job of his life.

[From the Macon (Ga.) News, Jan. 29, 1959] THE AMENDMENT PROPOSED BY TALMADGE Here is the language of Senator Herman TALMADGE's proposed amendment to the Constitution of the United States:

"The administrative control of any public school, public educational institution, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in this amendment shall be construed as a denial to any such school, institution or system administration thereof by such State and subdivi­sion."

The South being a minority, in the Con­ stitution and in the Nation—both of which must approve for the amendment to become law—Talmadge's proposal may prove futile. The proposal is an assault on the Supreme Court decision.

It is significant because it courageously faces up to two diametrically opposed facts: (1) The desegregation decision is unconstitutional and the decision is not going to be changed; (2) the people of the South, who have for so many years been told they will accept mixing of the races in the classrooms.

Senator TALMADGE is seeking to head off the almost incredible threat of a general breakdown of public education in Georgia and her sister States. He clearly sees the peril in this. An intelligent and astute man, Talmadge realizes what this setback, economically and culturally, this would be for the South.

So he urged in a speech Tuesday that a constitutional amendment be adopted. It would permit State and local governments to decide for themselves whether to operate racially and would permit them to do so by placing administrative control of public schools exclusively in the hands of the States and localities.

He terms it a "commonsense" method of ending the bitter and tragic school contes­ try. That it is. And it is in the American tradition of local self-determination. He believes the State and the various lesser governments would have to agree before the decision was made, based on local conditions, whether to segregate or integrate.

The Congress would first have to approve the amendment, then the 49 States. Even if it happened, three-fourths of the legislatures of the 49 States would have to approve, and this is even more unlikely.

But Talmadge's proposal does not go so far as to endorse local option for political subdivisions exclusively. He believes the State and the various lesser governments would have to agree before the decision was made, based on local conditions, whether to segregate or integrate.

The proposal is no idle gesture on TAL­ MADGE's part. He has built his campaign for the amendment to New York City tonight. He speaks at the annual banquet of the As­ sociation of Cotton Textile Merchants of New York. He will be speaking on other occasions, taking advantage of every opportunity offered him.

How much more worthwhile and realistic is Senator Talmadge's proposal than such absurd solutions as moving Negroes out of the South, impeaching the Supreme Court, or permitting children to grow up without education.

[From the Rome News-Tribune, Jan. 28, 1959] CONGRESSIONAL RECORD — SENATE February 19
Senator Tal madge said the real losers in the current situation are the schoolchildren of the South. He added that Federal bayonets, Federal control of education or a generation of ignorance, could not be tolerated. He favors full local control over public education.

What fate awaits this effort to restore control of education to the people and their elected representatives? It must be granted full local control over its public educational institutions. The Alaska State constitution provides that: "The schools and colleges provided for in this act shall forever be vested in the people of the State and its governmental subdivisions." The revelation even caught General Eisenhower by surprise. He was asked about the point at his news conference and with a blush admitted that he did not know that the provision was included in the Alaska constitution.

Senator Tal madge has a strong argument here for State and local control of public schools, he said. If Federal bayonets can administer its schools as it sees fit, then why shouldn't every State in the Union have the same right?

While Senator Tal madge is setting forth his bold and positive program, the liberal and radical elements of Congress are not sitting still. They are busy cooking up another witches brew of so-called civil rights legislation.

The liberal civil rights proposals and the program as outlined by Senator Tal madge are surely headed for a collision in Congress. The one or the other must be made law.

One thing is certain, however. The South, under the leadership of Senator Tal madge and other champions of States rights is going into battle to protect its children from the onslaught of the Supreme Court and not just a bagful of loud objections.

For too long, now, we have shouted what we will not do and have been defeated in almost every instance by stubborn and unrealistic judicial decisions. Instead of saying what we will not do as has been the case since the Supreme Court decision, it is time for us to say what we propose to do.

This is the essence of the Tal madge program.

In introducing his constitutional proposal, the real losers in the current situation are the schoolchildren of the South and their parents. It is time that someone spoke up in behalf of the volumes masses who will suffer the consequences of such rash action and to what States they went.

[From the Griffin Daily News, Feb. 2, 1959]

THE CASE FOR LOCAL CONTROL

(By Bill Knight)

Senator Herman Tal madge of Georgia is giving the South, the kind of vigorous and positive leadership it needs in efforts to regain the control of public schools from the Federal Government. He believes full control of our schools belongs—in the hands of State and local governmental subdivisions.

The junior Senator from Georgia presented one of the key points in his program last week when he proposed a constitutional amendment to vest control of public educational institutions in the State or political subdivisions which operate them.

Today he announced plans to introduce a series of five companion measures to the constitutional amendment.

The measures will include bills to—

1. Preserve minimum qualifications for teachers of the Supreme Court of the United States.
2. Withdraw the jurisdiction of the Supreme Court of the United States from the circuit and district courts over all matters relating to the administration of public schools.
3. Require jury trials in all cases of contempt arising from the disobedience of any Federal injunction or restraining order.
4. Bolivia to the United States to record a full hearing to all parties before acting upon any lower court decision.
5. The constitutional amendment proposal with the four companion measures is a positive approach. It sets down specific measures to prevent the Federal courts from interfering in educational matters.

The constitutional amendment proposal with the four companion measures is a positive approach. It sets down specific measures to prevent the Federal courts from interfering in educational matters.

The bill has been co-sponsored by Republican Senators from other States "see the light." And they will only "see the light" when they understand the basic philosophy that they approve this proposed amendment.

So let's all get busy and write personal friends who live in Northern, Eastern, and Western States, write them a friendly sort of letter, telling them what we think of this amendment and asking them to write to their Senators from other States "see the light.

Do not write an argumentative sort of letter. Just tell the facts.

Do not have a lot of letters mimeographed. Make each letter a personal one. Send these letters to personal friends, to business firms with which you do business.

Such letters could result in many letters going to northern and eastern and western Congressmen, from their constituents. And such letters will have effect on the thinking.

Following our advice to this friend, we are preparing a series of letters to be mimeographed in California, Michigan, New York, Illinois, Massachusetts, Rhode Island, Maryland, Oklahoma, Utah, and some others. We have made it our business to place at least 2 dozen letters this week. These letters will be to personal friends.

In addition, we plan to write letters to concerns with which we have done business for many years.

It is wise for various civic organizations to take on this suggestion and have officers of the organization write letters to other clubs like theirs in other States.

Right here in Spalding County we can start a movement that can catch fire all over the South. Thousands of letters, real personal letters, to people in our home State. A tremendous weight and could result in Congressmen from other States, realizing that the fight to preserve States rights and control of our schools, is not only of vital interest to Dixie, but to all the Nation.

Senator Herman Tal madge has opened the way for us to solve our school problem. But he needs the help of every person who believes with him, that the individual States have guaranteed rights that should never be surrendered.

So, if you want to back up Herman Tal madge, sit right down and write a letter to a member of Congress, northern or southern. If she or he should be just as interested in solving the problem, as you.

We must get a lot of letters. The time has come to do just that.

[From the Journal-Herald, Jan. 28, 1959]

TALMADGE HAS PLAN ON SCHOOLS

Senator Herman Tal madge, in his weekly column on this page, explains an amendment which he proposed before the Senate this week.

The theme and purpose of the amendment, as Senator Tal madge explained it, is: "The upper House, is the vesting of exclusive administrative control of public schools in the States and their political subdivisions."

According to this constitutional amendment, the States, through the Supreme Court, is the time for us to say what we propose to do.

This is the essence of the Tal madge program.

In introducing his constitutional proposal, the real losers in the current situation are the schoolchildren of the South and their parents. It is time that someone spoke up in behalf of the volumes masses who will suffer the consequences of such rash action and to what States they went.

[From the Griffin Daily News, Feb. 3, 1959]

GOOD EVENING

(Quinby Melton)

How can I help Senator Herman Tal madge put over his plan, to amend the Constitution so that every State shall control its school and colleges? It is a task that requires positive action.

For he, like many others, believes that Senator Tal madge has the first real plan that will solve the muddled, tragic, tense situation that faces our schools.

That is a question that no doubt occurred to many.

Here's what we told this friend.

We know it will do no good just to write our Congressman. For all of our Congressmen must vote on the Tal madge plan. Neither will it do any good to write to other southern Congressmen and Senators, for they, too, are all for the Tal madge amendment.

We also know that this proposed amendment will not be passed by the Congress unless a majority of the Senators from other States "see the light." And they will only "see the light" when they understand the basic philosophy that they approve this proposed amendment.

So let's all get busy and write personal friends who live in Northern, Eastern, and Western States, write them a friendly sort of letter, telling them what we think of this amendment and asking them to write to their Senators from other States "see the light.

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[From the Journal-Herald, Jan. 28, 1959]
In his Farewell Address, which attached as his farewell gift to the people, was as his more widely quoted advice on foreign policy, Washington said:

"The basis of our political systems is the right of the people to exercise authority over themselves, and to alter their political forms of government when their public safety requires it."

TALMADGE said:

"The accomplishment of this amendment offers a constitutional solution to the national dilemma which is comparable with everything else which has been accomplished in which those of us who disagree on the constitutional and sociological questions at issue can meet on firm common ground to serve the best interests of the states and future generations of American youth."

Washington said:

"It is important to this country that the habits of thinking in a free country should inspire caution in those entrusted with its administration, and to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another (which tends) to consolidate the powers of all the departments in one, and thus to create a real despotism."

TALMADGE's position does not lack some appreciation outside the South. His exposition of views, and his constitutional right, is responsible for the greatness which this Nation has achieved."

In other parts of his Senate speech the Georgian could have been paraphrasing the sentiments of the United States.

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TALMADGE's position does not lack some appreciation outside the South. His exposition of views, and his constitutional right, is responsible for the greatness which this Nation has achieved.
"To those who would have the Federal Government finance and operate the schools of the South, I would point out the obvious. The Federal law does not yet exist. It cannot exist until the people of the South approve it. The Federal Government would have to have the consent of the governed. It would have to have the consent of the people of the South. That consent would not be given. The attempt to force the Federal Government on the people of the South would lead us out of our patch into chaos.

"To those who advocate inaction and who would sit by idly and allow while children go without an education, I would point out the unspeakable hypocrisy of using children as pawns of political expediency. Rearing a generation in ignorance is not the answer."

The words by Senator Talmadge should be studied carefully by his fellow Georgians. Closing the schools is worse than rebellion against the Federal Government. It is rebellion against civilization.

Senator Talmadge has spoken plainly and reasonably. His words are of little concern to the rest of the Nation. For the South, his words are the handwriting on the wall.

[From the Post-Searchlight, Jan. 29, 1959]

TALMADGE CONSTITUTIONAL PROPOSAL SOUND

The constitutional proposal introduced in the U.S. Senate to guarantee State control of education by Senator Herman Talmadge is something the Founding Fathers never intended for education to be handled by the several States, they failed to spell it out by protecting against that action on the part of the Federal Government.

The proposal will take a two-thirds vote of the States to become the law of the land within 7 years if ratified by 36 States. The amendment stands little chance of passing, but it is certainly a step in the right direction. At least it will put the question squarely up to the lawmakers who are always crying the need of going to the people on important questions.

[From the Austell Enterprise—A Builder in a Growing Community—Jan. 29, 1959]

TALMADGE BRILLIANCE SHINES LIKE A STAR

This newspaper has maintained for years that Herman Talmadge is one of the most brilliant men in the country. In our opinion, he has proven it over and over again. No one knows with more confidence the Senator's brilliance and devotion to the people of his State and Nation, with his introduction in the Congress of a constitutional amendment to protect the right of the people to decide the future of America, a great Georgian and the brilliant of political integrity in this man, will put the responsibility of education, and to stop forever the conflict between Federal and State, his vital work.

Talmadge's bill may not pass, but he has certainly rendered a worthwhile service to the entire country in his clear-cut and commonsense exposition of the subject.

[From the Thomson Times, Jan. 29, 1959]

SENATOR TALMADGE MAY HAVE SEED OF IDEA THAT HE WOULD TURN THE SOUTH FROM CHAOS

Senator Herman Talmadge, perhaps the South's foremost student of the racial issue insofar as it concerns the schools, took the floor of the U.S. Senate Tuesday to propose a constitutional amendment that would place the control of schools in the hands of local governmental units.

In our own community that would mean that city schools would be controlled by the city of Thomson and the Thomson Education Board; county schools by the county of Upson and county board of education, both with aid from the State of Georgia.

This solution to the South's dilemma, and indeed, the country's problem, may never be accepted by the South, the country and the people but it is the seed of a brilliant idea that may lead us out of our patch into chaos.

Georgia's junior Senator has rendered the South a great service that, alone, should justify his term in the Senate.

[From the De Kalb County News Era, Decatur, Ga.]

THE RIGHT APPROACH

At long last there has been presented before the Congress a sane, logical and legal approach to a solution of the chaos the decision of the Supreme Court of May 17, 1954, created. In an eloquent, realistic and sincere presentation Senator Herman Talmadge has offered a constitutional amendment to protect the right of the people to decide in the States that what he has proposed is it. What a marked solution. The constitutional government of the United States of America is the responsibility of the people to decide in the States and their political subdivisions.

The Senator very strongly pointed out and clearly showed that by so amending the Federal Constitution we would invoke the American heritage of the "consent of the governed" and that it was the "American way," the Constitutional way," and "the way of reason and commonsense."

Though he spoke primarily for the South it was crystal clear to all observers that Talmadge's remarks that he recognized what is undoubtedly true that the issues created by the Court's decision were far reaching into the private lives of every citizen of every State. The South has and is bearing the brunt of the matter now, but at any moment the pendulum could swing to endangering effect into any and every other State.

He recognized the Court's decision as an "accident" and that his proposal he showed his real stature as a politician and a constitutionalist of Mr. Talmadge and the political integrity of his proposal nothing can detract from his stature as a politician and a constitutionalist.

The Senator very strongly pointed out and clearly showed that by so amending the Federal Constitution we would invoke the American heritage of the "consent of the governed" and that it was the "American way," the Constitutional way," and "the way of reason and commonsense."

The resolution points out that Talmadge's amendment seeks neither segregation nor integration of public schools, but would leave each State free to make its own decision.

OTHERS JOIN TALMADGE

The resolution points out that seven other U.S. Senators have joined Talmadge in his proposed constitutional revision to protect the right of the people to decide in the States individually, and should be subject in all particulars exclusively to State and local governments in this important area (of public education).

Shortly after Talmadge introduced his proposed amendment, President Eisenhower spoke, with reference to the question that he would have to study the proposal before commenting.

Senator Talmadge's bill may not pass, but he has certainly rendered a worthwhile service to the entire country in his clear-cut and commonsense exposition of the subject.

[From the Nashville (Tenn.) Banner, Feb. 10, 1959]

ASKS BACKING OF TALMADGE AMENDMENT

(By Mickey McLinden)

The Senator very strongly pointed out and clearly showed that by so amending the Federal Constitution we would invoke the American heritage of the "consent of the governed" and that it was the "American way," the Constitutional way," and "the way of reason and commonsense."

Senator Talmadge has spoken plainly and reasonably. His words are of little concern to the rest of the Nation. For the South, his words are the handwriting on the wall.

The resolution by the Shelby delegation follows:

"Resolution memorializing the Tennessee delegation to the Congress of the United States to exert its best efforts in behalf of an amendment to the Constitution of the United States proposed by Senator Herman Talmadge:"

"Whereas the public school system of Tennessee is unique in each county, in the same way that the public school system of each State is unique, and should be subject in all particulars exclusively to State and local governments; and

"Whereas Senator Herman Talmadge, of the State of Georgia, has proposed an amendment to the Constitution of the United States which would assure that administrative controls be vested in the hands of the individual States and their subdivisions; and

"Whereas the bedrock principle of constitutional government is the right of the people to decide; and

The companion resolutions were introduced in both the State house and senate by the Shelby County delegation.

Specificially, it urges the Tennessee delegation to support Talmadge's proposal which would amend the Federal Constitution so that the administrative controls of public schools be vested in the hands of the individual States.

The resolution proclaims "the bedrock principle of constitutional government is the right of the people to decide" this principle should be protected by an amendment to the Federal Constitution. The resolution is "honored in this Nation until the judicial trespass in 1954 by the U.S. Supreme Court."

The judicial trespass referred to was the Brown vs. Board of Education's action striking down the heretofore upheld "separate but equal" status of white and Negro schools in the South.

The resolution points out that Talmadge's amendment seeks neither segregation nor integration of public schools, but would leave each State free to make its own decision.
"Resolved. That copies of this resolution be forwarded to Senator Herman Talmadge with our thanks for his leadership in this important measure. The Senate is deeply grateful to a Congressional delegation with our urgent request for their support."

[From the Tampa Tribune, Feb. 8, 1969]

INTERPOSION THEORY LAID TO REST BY GEORGIA SENATOR

(By James A. Clendenin)

The long-running debate over massive resistance in Virginia a few days ago muddied another significant sound in the South: the soft thrust of the interposition theory being laid to rest. A record 45 at-risk school districts of the state sat down to be heard by the Senate's Committee of the Judiciary, Talmadge, of Georgia, wielded the shovel.

Three years ago the great interposition campaign was sweeping out of Virginia across the Southland, whooping behind the ghost of John C. Calhoun. The theory was this: That any State has a right to challenge the constitutionality of an act of Congress or a decree of the Supreme Court, and when such a challenge is made, the law or decree shall be nullified until and unless it is affirmed by legislatures of three-fourths of the States.

Under this theory, when southern legislators practice the Court's segregation decision as unconstitutional, only a constitutional amendment abolishing segregation could make it the law. Until then, the States could simply pretend that the Supreme Court had never handed down its Brown decision on that incredible day in 1954.

Interposition suffered the same weakness as the theory of secession: Ultimately, it was bound to bring on a test of force between the States and Federal Governments. It did, at Little Rock. And the Federal Government won it.

Interposition, as a practical means of defeating integration, fell mortally wounded at the hands of the Supreme Court, as a theory, seems now to have been interred by one of the Deep South's own leaders.

For Senator Talmadge offered to the Senate the other day a constitutional amendment to permit the States to operate segregated schools if they wish to do so. In short, he proposed to reverse the disputed decision by constitutional amendment. This is directly contrary to the interpositionist argument. Senator Talmadge has been challenged by several States, is a nullity and shall not be recognized unless sustained by a constitutional amendment.

In a speech markedly moderate in tone, Senator Talmadge said:

"Regardless of whether one accepts it or not, the overwhelming majority of the people of the South will neither accept nor submit to the forced implementation of that decision and will attempt to operate segregated schools which is that position in the foreseeable future."

Therefore, he said, to prevent the South's public school system from being destroyed, it is the duty of Congress to adopt a solution "compatible with American constitutional concepts."

That, he said, was a constitutional amendment in vesting control of public schools in the States.

Even the Senate liberals who violently oppose segregation were quietly quizzed with the Talmadge procedure. This is the historically accepted method for reversing a Supreme Court decision.

Twice in American history the Court has been overruled by constitutional amendment. This one was in 1789, with the adoption of the 11th amendment prohibiting Federal courts from entertaining suits against a State by citizens of another State. That grew out of a Supreme Court decision adverse to Georgia. The second occasion came more than a century later, when the 16th amendment was adopted to permit the levying of an income tax, which the Supreme Court had held unconstitutional.

In a recent study so many Members weigh the segregation issue in terms of minority votes, it is unlikely that the Talmadge amendment will muster the necessary two-thirds approval. But submitting the amendment to the States is certainly the practical way to clear up the controversy over the law.

If the amendment is adopted, the States will have a clear and undisputed right to run their segregated schools.

If the amendment is rejected, the South won't like the Supreme Court decision any better but at least will know that it must be accepted as permanent law.

Calhoun's ghost may float on the Senate from Georgia. But James Madison, the "Father of the Constitution," would bestow his benediction. For Madison said that the interposition-nullification doctrine that gave the South its challenge is "null and void" and that the Constitution "would overturn the first principle of free government and in practice necessarily overturn the Government itself."

[From the Sarasota Journal]

A BATTLE WON, BUT...

Now that the massive resistance program has been broken down by the massive insistence of Federal judges carrying out Earl Warren's must-mix decree, it is presumed that those who are ardently in favor of forced integration are overjoyed.

They will presume that the battle has been won.

"They will point to the graceful submission of Virginia to "the inevitable." But what has come about is not "the inevitable." Nor will Virginia "massively comply" with the so-called law of the land. And while the battle may have been won by the force-it-down-their-throats advocates, the war has not been won—and never will be."

Let us look away from Dixie, look away from Virginia for a moment to the situation up the country, where supposedly everything is hunky-dory and they are going about integrating schools.

Current dispatches from New York and Chicago indicate that this just is not so.

Here is an Associated Press item from New York City:

The metropolitan council of the American Jewish Congress as charging that there is "de facto (in fact rather than in law) segregation in the city schools."

At the same time, the U.S. Civil Rights Commission was hearing testimony in New York indicating that open discrimination in housing has gone underground because of antibias laws and policies.

The commissioner of the New York Commission on Intergroup Relations (that means force-e'm-to-mix) conceded that there is open discrimination in New York City's housing supply and this discrimination runs the gamut of types and costs of housing.

It is the realization of the commissioners to the fact that when the aforementioned Civil Rights Commission held hearings on voting rights in Alabama, the Nation's television cameras were focused on the proceedings, and coast-to-coast movies and reports of the hearings provided a telecast. But when the hearings turn to New York, the TV networks don't seem to think it important to show proceedings in New York City, and the networks pay no attention to the situation.

This is the rankest kind of discrimination—but it is the kind of attitude that has led to mass resistance in the South. They will not cooperate with the forces of change.

They, egged on by the bigots in New York City, try to damn the South, but they neglect to tell the story. They do not tell the people of the South that 70 percent of the Negro people live in neighborhoods which are 96 percent Negro. About 20 years ago such neighborhoods made a far greater mixed population, he added."

From this it may be indicated that while Earl Warren's decree may be accepted nominally as "the law of the land," the vast majority of Americans, regardless of race, creed, or color, will either ignore these decrees or seek to circumvent them.

This will be so not only in Virginia, but in New York, Chicago, and all across the land, from Maine to California.

There have been other notable instances where court decisions have backfired. The first and greatest, of course, was the Dred Scott decision. It took a Civil War to overthrow this one, but it was overthrown.

If there was ever an experiment of prohibition, which brought on a massive wave of lawlessness, helping to create gangsterism...

It was a long and painful process but eventually the law of the land as spelled out in the prohibition amendments and subsequent constitutional acts was overturned by due process.

That took more than 15 years to accomplish.

If it takes the same length of time to undo the Warren decree, that would mean that forced integration will be out the window in 20 years. Senator Talmadge is a man of seven and seven associates. They are proposing a constitutional amendment which would spell out that the States, not the Federal Government, are responsible for the operation of the public schools.

Some (such as the Tallahassees Democrats in a supporting editorial Sunday) call this effort as "forlorn," but it is going in the right direction.

We need more segregation before we get less of it.

[From the Chattanooga News-Free Press, Jan. 28, 1959]

SOUND, BUT FORBIDDEN

Senator HERMAN TALMADGE, of Georgia, yesterday proposed a constitutional amendment that is badly needed—and yet it would not provide anything the Constitution as it now stands does not clearly provide in language simple and legal.

Senator Talmadge's proposed amendment states: "Administrative control of any public school, public educational institution, or public educational system by any State or by any political or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in the Constitution shall be construed to deny to the residents thereof the right to determine for themselves the manner in which any school, institution, or system is administered by such State and subdivision."

This amendment needs to be adopted because of the Warren decrees which are now in office to uphold the Constitution and has violated the Constitution, issuing decrees which are contrary to the policies and practices of the States and even the wire services for many, many years.

But if we had an honest Supreme Court, a new amendment would not be needed.
cause already the Constitution provides in the 10th amendment: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Power to control public educational matters, therefore, is left to the Federal Government, thereby pointedly being left to the States exclusively, without Power from Washington, but within the limits of the 14th amendment? If we should skip over the multiple illegality which makes its adoption illegitimate, and accept it as it stands, the amendment will be submitted to Congress. It is the most definitive means of making the School and the State, as well as the South, forever.

It is, as the author of this amendment declares, a way to avert the "unparalleled catastrophe" of widespread school closings. To this, it is replied by the constitutional method the question of where these controls shall remain.

Eight southern Senators, on May 20, 1957, the Banner proposed the following amendment: "The public school system of these States is the property of the United States individually, and subject in all particulars exclusively to State and local jurisdiction." The accompanying editorial declared the belief that stipulation belongs as the 23rd amendment to the United States Constitution, and that a resolution to that effect calling for the 23rd amendment was drawn by Congress for immediate submission to the people.

It would, the Banner said, "define beyond doubt and arbitrary evasion, an area of authority historically reserved until—who only without precedent, constitutional warranty, or legislative assent—the Supreme Court divested State and local governments of that jurisdiction."

It was further emphasized that the amendment would in no sense bar integration of schools where that is the wish of the States. There are many in the South who would like integration, right, exactly as they have had it all along.

The Talmadge resolution goes no less to the heart of the integration question than the right of the people to decide for themselves, State by State.

Actual incorporation in the Constitution—as an unarguable safeguard—the point of law already validated 10 times in the legislation extending statehood, the latest case being Alaska. The Banner repeats, the American people are confronted by a question demanding answer now. Congress is aware, surely, of a responsibility to the electorate in a matter so far exceeding the sanction of legislative enactments. For the sake of principle and security in a primary realm of concern to every right-thinking citizen, the amendment proposed is needed. It would provide effective and adequate guarantee of school stewardship, the program, as it should be, where that is the wish of the people.

Stated another way, the Talmadge amendment would clear the air, curb usurpation, provide solution. Of course, it will not be so, Senator Talmadge himself told why. "It will not be acceptable," he said, "to those who wish to further their own partisan ambitions by punishing the South.

It is time, however, for every American in every section of the country to ask himself, and to the Congress and to the Senate, whether integration is not being done in the true spirit of its organic purpose.

Senator Talmadge said further—and by reediting the test of the proposed amendment the validity of this view may be presented—"I think if that there is not a Member of this Congress . . . who could not vote for such an amendment with a clear conscience and a complete consistency with his principles."

Here is something that is not as foul the principles of fairminded men, North and South, something that all could accept in good conscience, for it provides simply for local self-government, which is traditional in America.

Senator Talmadge has been joined in sponsorship of this statelessness, but foredoomed, measure of conciliation by seven outstanding southern Senators. Senators Estes Kefauver and Albert Gore, of Tennessee, of course, are not among them.

[From the Nashville (Tenn.) Banner, Jan. 28, 1959]

RIGHT, SENATOR TALMDGE: AS CONSTITUTION PROVIDES, LET THE PEOPLE DECIDE

In his proposed constitutional amendment to fix, beyond any question, the area of authority of the control of the public school system, this Senator believes that the States have the choice of doing it.

The stipulation sought is neither segregation nor integration; it provides simply that administrative controls shall be vested in the hands of the individual States and their subdivisions—which means that the decision would be made there and not in any blanket decree handed down by Washington, or a five-man majority of the Supreme Court, or a dolefully written into the law the standard specifica­tions on which the integrationists used to force its peculiar ruling on the people.

Further, he proposes that this decision of where the controls belong be submitted to the people of the United States, and rendered by them. Congress should need no reminder that government derives its just powers from the consent of the governed, and no consent has been given to divest the States of their authority and rights in question.

The seven southern Senators joining Senator Talmadge in their protestation to codify a constitutional action a principle that was honored until the judicial treaspe of 1854 occurred, do not stand to be dictated by it to the States, are not the constitutional concept, or in insisting that an issue of such magnitude is for the people to decide. Nor do they consider, southern Congressmen, but Constitution-minded lawmakers of other regions, must see the merit of it.

The President signed it. Alaska is a State. Other States, and their subdivisions full control of
education—and thus override the 1954 decision of the Supreme Court—are now getting down to fundamentals.

The Talmadge amendment as introduced by Senator TALMADGE, of Georgia, would declare that nothing contained in this Constitution shall ever get approval of two-thirds of both Houses and three-fourths of the States. "Recognizing these developments in Virginia, which was supposed to be showing the rest of the South how to evade the 1954 ruling, it is not surprising that a broad and more consistent whole question at last has won favor.

From the Washington Post, Jan. 30, 1959

[Senator Talmadge and seven southern colleagues have chosen an altogether proper and dignified means of registering their disagreement with the Supreme Court school desegregation decision. In a commendably moderate speech Mr. TALMADGE has proposed a constitutional amendment to establish the exclusive right of the States to determine the manner of administration of schools. In his preamble the Georgia Senator speaks of the "terrible tragedy" of the Supreme Court decision, of the need to safeguard the "American concept of universal education," and adds that the American citizenship is in a "real danger of being toppled, and the Nation will again be united—by the Federal court said that Virginia can— while the Honorable Talmadge and the Honorable Brooklyn Daily Eagle] Left to the People the Talmadge Amendment Will Pass

Our hats are off to Senator HERMAN TALMADGE, of Georgia, for offering a constitutional amendment which would solve some very serious school problems, both federal and state. It is straightforward and adds that the American citizenship is in a "real chance of success.

Mr. TALMADGE says that the South, which is certainly an entirely new approach. Mr. TALMADGE says, is a matter of speculation. The American citizenship is in a "real chance of success.

[From the Columbia Daily Herald] Left to the People the Talmadge Amendment Will Pass

Our hats are off to Senator HERMAN TALMADGE, of Georgia, for offering a constitutional amendment which would solve some very serious school problems, both federal and state. It is straightforward and adds that the American citizenship is in a "real chance of success.

[From the Washington Post, Jan. 30, 1959] No way for them to differentiate between those who disagree with the Court decision to make their case—to seek to amend the great Constitution by the constitutional process. If they should win two-thirds of both Houses of Congress and three-fourths of the States legislatures requisite majorities, Congress may not pass the Talmadge amendment. The amendment is steady gaining support, as we are yet to hear it praised by our own U.S. Senators the Honorable FRANK COOPER and the Honorable ALBERT GORE.

How anyone, no matter what his presidential ambitions or how bigoted his views, can want to get rid of a state's right to control over schools funds raised by local taxes, take control of schools from local boards and vest the control in the Governor or use funds withheld from local business for the purpose of trying to entice pupils to use in attending segregated schools.

The amendment being now considered in the Senate of the States is an accomplished fact which will remain so until it is passed by two-thirds of both Houses of Congress and three-fourths of the States. "Nothing contained in this Constitution shall ever get approval of two-thirds of both Houses and three-fourths of the States. The amendments requisite majorities will elect to overrule the Supreme Court in its interpretation of the 14th amendment. The amendment is steady gaining support as we are yet to hear it praised by our own U.S. Senators the Honorable FRANK COOPER and the Honorable ALBERT GORE.

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a clause was in the bill, and he was told, "Mr. President, you signed the bill." Let's con­
gratulate Senator TALMADGE and his seven or eight colleagues who have done so much to make this move, and let's do it now, and—Thasali.

[From the New York Herald Tribune, Jan. 30, 1959] SOUTHERN PROGRAM TO END SCHOOL ISSUES IS QUESTIONED (By David Lawrence)

WASHINGTON, January 29—Eight southern Senators strongly repudiated the notion that the South believes in lawless ways. Senator HERMAN E. TAL­
made, South Carolina, has introduced a proposed amendment to the Federal Con­stitution which is intended to give the States exclusive control of their school systems.

Whether one agrees or disagrees with this proposal as a solution of the tragic condi­tions brought about by the segregation-integration controversy in the courts, the fact is that the southern Senators have come forward to legitimize some means of overcoming what they consider the ill effects of the 1954 "desegregation" decision of the Supreme Court of the United States.

TALMADGE AMENDMENT

The big question, however, is whether the proposed amendment, when analyzed, does really provide the solution desired by the South.

"The closing of any school anywhere is a lamentable occurrence. The closing of a public-school system is a terrible tragedy. The destruction of public education in an entire region of our Nation would be an unparalleled catastrophe. Yet a realistic appraisal of the facts of the matter afforded no reasonable conclusion but that that will be the inevitable result of binding the citizens of the South for a generation with the constitutional command which is resist­ed and now being forged around them. And the real losers of such an eventual­ity unfortunately will be those who have the least to say about it—the school children of the South and their parents."

AMENDMENT'S TEXT

But the amendment which Senator Tal­madge offers does not legitimate the funda­mental constitutional right of the States to decide for themselves how their children shall be educated. The text of the proposed amendment is as follows:

"Administrative control of any public school, public educational institution, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State membership which the Constitution shall be construed to deny the residents thereof the right to control liquor sales now has been affirmed as constitutional."

Precisely this kind of situation is inevitable in the school controversy and, while the Tal­madge amendment has that broad aim, it essentially leaves the States free to tinker with the power of choice to the citizens, who can then demand of the States the type of schools they want; whereas a Federal public-school system is the only answer not only for the South but for many cities in the North where a public-school system has increased to serve to introduce evasive schemes of resi­dential gerrymandering to achieve something for which the southern people, when they try it, are denounced as playing a lawless defiance of the Constitution.

[From the New York Times, Jan. 29, 1959] THE MOVEMENT TO AMEND 14TH AMENDMENT (By Arthur Krock) WASHINGTON January 28—The eight southern Senators who sponsored the sub­mission of Senator TALMADGE's proposed constitutional amendment to the legislature require that public school racial segregation would be joined by others in both branches of Con­gress if it were to be employed. But in all likelihood the total would fall short of the two-thirds of the House and Senate necessary to amend the Constitution which requires for the submission of an amend­ment to the States.

Yet, with the public-school system in Vir­ginia being easier to fumble and the certainty that this will be repeated in some other Southern States, there is much to commend the constitutional process invoked by Sena­tor TALMADGE. If it were to be employed, the indirect amending of the 14th amend­ment, by the Supreme Court in its 1954 decision forbidding State statutory racial segregation in the public schools would be written into the Constitution, or rejected, by the Congress, "valid to all intents and purposes" (art. V).

This decision was an indirect amendment because it ruled that the "separate and equal" southern racial system which the same Court established as constitutional in 1896 was unconstitutional in 1954, although not a line had been added to or subtracted from the 14th amendment that both de­cisions rest on. Moreover, though the 14th specifies Congress as having the "power to enforce" it by "appropriate legislation," Congress has not acted in this legislative field. This court, contrary to the 1896 decision on­

the contention that Congress in 1896 did legislate that the courts of the country would refuse to enforce the constitutional amendment by granting to Alaska "exclusive control" over its schools is quibbles. The
The proposal by Senator Talmadge is a logical solution to our current school problem," Ellington said.

"It proposes no advantage for either side, but would end the controversy about whether the Federal Government or the States would have control of their local affairs.

"In addition," the Governor said, "if the amendment is adopted by ratification, it will allow the voters of each State to give their preference on the school problem.

"In my opinion," he continued, "Senator Talmadge's proposal is the most sensible approach to this problem that has been offered so far."

Seven other U.S. Senators have joined Talmadge in supporting a constitutional revision to "protect the rights of States and local governments in this important area of public education."

[From the Nashville (Tenn.) Banner, Feb. 12, 1959]

FOR STATE SCHOOL CONTROLS: PUT TENNESSEE IN 49

Tennessee has the opportunity, by legislative action, to go on record for the Talmadge amendment expressly stating, in language that would conclusively demonstrate to all who control school affairs, that the voters of each State will vote their approval of the Talmadge proposal.

The strongly worded resolution introduced in both houses of the legislature expresses, the Banner believes, the statewide sentiment of the people to pass upon and decide for themselves on prohibition.

Legislatures all over America are in session, units of government close to their constituents, and, under the Constitution, themselves (when two-thirds agree) to apply for a convention seeking to amend the Constitution so that the people will have the right to make the same decisions about education that they are making with reference to prohibition.

If enough of these State bodies memorialize Congress to act, the Talmadge proposal cannot fail of adoption, for that would manifest beyond all argument the demand of the people to pass upon and decide for themselves the issue submitted.

It is fair to all, State by State. It is neither a segregation bill nor an integration bill. It would take nothing away from any State; it simply would redefine, beyond any argument, the right of the States individually to decide for themselves all school questions. In essence it would apply in 49 States the legal, formally written, statutory provisions already in effect in behalf of the last 11 admitted to the Union.

As a State that is concerned, Tennessee can take this stand which unquestionably would be augmented by others. As an evidence of statewide sentiment, it can so instruct its congressional delegation.

The adoption of this resolution is a matter of urgency, and the general assembly should press it in the shortest time possible.

[From the Atlanta Journal, Feb. 8, 1959]

ALABAMA PRESSS MIX CUB IN TALMADGE-LIKE PROPOSAL

(By Fred Taylor)

MONTGOMERY, Feb. 7—Federal investigation of voting practices and new integration threats brought a raft of bills to strengthen Alabama's voter registration and segregation, bill called on Congress to restore to the States complete control of public schools.

Adopted unanimously by both houses was a resolution by State senator Ryan O'Driscoll, of Tuscaloosa. It expresses the sentiment of Congress to authorize a special convention for submission of a constitutional amendment giving the States complete control of educational systems.

The Tuscaloosa legislator, a former House member, pointed out that his resolution is in harmony with the views of State Senator HERMAN TALMADGE, of Georgia. Talmadge's bill provides for Congress to submit a constitutional amendment to the various States. But the Arizona measure requires Congress to take this stand which unquestionably would not, and can not, and will not, gain the consent of those governed—meaning the people of the South. Neither does it have the approval in many other smaller segments of this country. Senator Talmadge has introduced a bill to amend the Constitution so that the Supreme Court's edict would be no longer the matter would be left to the individual States. Monday the Senator from Georgia introduced a bill which would require members of the Congress to the Senate and the House, to pass upon and decide for themselves on prohibition.

Representative Wilbur A. Orr, Jr., of Wilkes County told the legislature that "Georgia is paying the way."

Under the Constitution two-thirds of the States may memorialize Congress to meet in special convention to amend the Constitution.

The bill was signed by a large number of administration leaders. It passed the house without objection.

The wording of the constitutional amendment proposed by the Georgia house was identical to that proposed by Senator Talmadge. Mr. Orr specifically pointed out that the amendment would not provide for local option below the State level, a matter which was in doubt in the wording of Senator Talmadge's proposal.

The resolution provided that copies be sent to each of the other 48 Governors, presidents of the senates and speakers of the houses. These people would be asked to encourage their legislatures to pass the same resolution.

[From the Jefferson County Ledger, Hattiesburg, Ga., Feb. 5, 1959]

CONSENT OF THE GOVERNED

There is a theory which has been put to the test that Government rightfully rests upon the consent of the governed. "The Social Contract," which Jean-Jacques Rousseau wrote in 1762, was a revolutionary pamphlet and contained numerous errors but it had a great influence on the French Revolution and is often quoted in behalf of freedom and against dominationing use of power by the ruling classes or leaders.

While there are assumptions that cannot be proved true and statements that are actually not true in "The Social Contract," it is a powerful instrument and has made an impact which exists today.

Wilfully and deliberately the U.S. Supreme Court has ignored the concept of Rousseau, if any of the members knoe of his existence or book. The man does not count, for others do not count, for every ounce of thought that he has made a great deal. The Court in its decision has flouted all that there is in the belief of freedom and about the consent of those it affects; and that is taken to mean the people as a whole.

Now, the consent of the Court does affect the South; it also affects other parts of the Nation. Both the nine men on the Court and President of the United States are aware that the ruling has not,
cological concepts to the corpus of our basic law, we have even declared war on each other by sending Federal troops into a sovereign State to enforce prevailing opinions. And the problem is no nearer a solution than when it was first created, in fact, the conditions and anxieties to change have deteriorated immeasurably.

The situation was predicated from the outset on malice. This occurred in 1954 when, on the crest of a trend toward Federal centralization of government, the Senate was told that it could not come to legislate and administer rather than interpret and adjudicate the law. Since then, the initial fallacy have been many times repeated.

Rather than correct the situation at its inception by a swift and positive return to the Constitution, a majority of our people yielded to passion and expediency. Politicians were quick to capitalize on mass psychology by fanning the almost extinct embers of sectional animosity back to full flame. The battle lines were quickly drawn over an issue that never should have existed in the first place. Opinions were found even the Vice President pointing with pride to the political allegiance held by the Chief Justice, and others, from all quarters exploiting bigotry to win election as champions of tolerance. If the Republic survives, all will be well, but the stains that they have left on these pages in our country's history, a record that will cause unborn generations of Americans to blush.

It is a man who can neither open the door nor unplug the drain while the water slowly rises about him from an open faucet. He beats the walls with his fist, and turns not to some mystic magic, but to imaginative solutions. The battle lines were quickly drawn on each side of the problem. He is here also to address a dinner meeting of the States Rights Council.

We are like a man who can neither open the door nor unplug the drain while the water slowly rises about him from an open faucet. He beats the walls with his fist, and turns not to some mystic magic, but to imaginative solutions. The battle lines were quickly drawn on each side of the problem.

The Senator, who recently introduced a constitutional amendment to give States and their political subdivisions complete control of their schools, is an expert to hold hearings in the field, in the Western States, along with the very able and illustrious senior Senator from Montana (Mr. Murray), on behalf of the Senate Committee on Interior and Insular Affairs.

I presided at hearings held at San Francisco, Calif., and at Bend, Ore. At those hearings some very cogent objections were voiced to offensive language taking from our friends and neighbors. The Senator has experienced a similar situation in the Georgia General Assembly. He is here also to address a dinner meeting of the States Rights Council.

I consider this bill as another indication of the need for a constitutional approach to school matters. It is my belief that, when the bill is enacted, it will enable each State to make its own decisions on the matter.

The wilderness bill, which is an outstanding agency of our Government, has voiced certain objections to the bill as presented. For example, the Forest Service does not agree with the procedure set up for classifying primitive areas. In addition, the Forest Service has recommended that there must be greater flexibility and latitude, so that the Forest Service can take timber from wilderness areas which are the victims of blowdown, insects, and pestilence, which timber otherwise would rot.

“Mr. MURRAY, on behalf of the

THE WILDERNESS PRESERVATION BILL

Mr. NEUBERGER. Mr. President, earlier today I joined with the distinguished senior Senator from Minnesota (Mr. HARKINS) in introducing the wilderness preservation bill. I agree with the general purposes of his bill, as I have done in earlier years, and for that reason I participated as a cosponsor.

Mr. President, I want to declare that the Wilderness bill is an attempt to stop the Wholesale violation of the Constitution, to stop the Wholesale violation of the Constitution.
Mr. JAVITS. Mr. President, I note the absence of the deputy majority leader and hence I ask unanimous consent that I may suggest the absence of a quorum and that immediately upon conclusion of the call of the roll I may again be recognized.

The PRESIDING OFFICER (Mr. McGEE in the chair). Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. JAVITS. 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.

With- out objection, it is so ordered.

VISIT TO THE SENATE BY ARGENTINE CONGRESSIONAL DELEGATION

Mr. MORSE. Mr. President, the Senate is greatly hon- ored today by having a group of distinguished members of the Congress of the Argentine as its honored guests.

I ask unanimous consent that the Senate stand in recess for 5 minutes, in order that Senators may greet our distinguished visitors.

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

Thereupon (at 2 o'clock and 40 minutes) the Senate went into recess.

Mr. MORSE. Mr. President, the Foreign Relations Committee of the Senate has just finished a most delightful luncheon with these honored guests and with the Argentine Ambassador.

As chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations, it is my privilege and pleasure to introduce our distinguished guests to the Senate. Following the introduction, they will remain, at their pleasure, in the rear of the Chamber, and we shall be delighted to have Members of the Senate who wish to meet them extend to them a welcome.

First, I am pleased to present the distinguished Ambassador from the Argentine, Hon. Cesar Hurado. [Applause.]

Mr. President, I wish to introduce the following members of the visiting Argentine congressional delegation. Each was greeted with applause:

SENATORS
Jose Gregorio Juarez, senator from Tucuman.
Carlos Alberto Lebrero, senator from Buenos Aires.

Armando Luis Turano, senator from Buenos Aires.

Domingo Cialuzeta, deputy from Corrientes.
Emilio R. Poltevin, deputy from Entre Rios.
Urbano H. Jara Melagran, deputy from Chaco.
Rosario Domingo Diaz, deputy from Santa Fe.
Jorge D. Ferraris, deputy from Buenos Aires.

The senators and deputies are members of the same party, Unión Cívica Radical Intransigente—UCRI—which is the majority party.

Mr. MORSE. Let me say to these distinguished guests, on behalf of the Senate Foreign Relations Committee, that we have appointed you as our ambassadors not only to take the Senate's handshake to the Congress of the Argentine and to your great President, who made a very fine impression in the United States on his recent visit, but to take the handclasp to the Congress of the Argentine. We want you to know that we recognize the power of strength you are and will be in Latin America in the great struggle in the century ahead between freedom and totalitarianism. We know that the people of the Argentine can always be depended upon to be on the side of freedom. We welcome you most heartily. [Applause.]

The PRESIDING OFFICER. Mr. McGee in the chair.

The Chair acknowledges the presence of these distinguished guests from the south, our fellow patriots and statesmen from Argentina.

Perhaps some gentlemen would like to know that we have just received a first-hand report from a student conference held in the Congress, of four House Members, a very distinguished Representative from the State of Texas, Richard Kleberg. He was very accomplished and could speak Spanish fluently. We thoroughly enjoyed the hospitality of your good country.

The thing that impressed me most during my visit to your Congress, as well as during visits to many other Latin American countries was the fact that you spoke our language fluently, although we did not speak your language with equal fluency. We were welcomed in our own language.

When I returned, I made a report to the President and suggested that we energize a greater interest in the Spanish language, in the interest of better relations between ourselves and all the countries of Latin America, and in particular such a great and flourishing country as the Republic of the Argentine.

On behalf of the minority, I say "Welcome." May your sojourn in the United States be a happy one.

Mr. MANSFIELD. Mr. President, I wish to join the Presiding Officer, who has expressed the good wishes of the Senate to the Argentine delegation.

One half of the majority leader, I join in the remarks made by this distinguished minority leader to the Argentine delegation and express the hope that not only will this visit be fruitful, but that from it will come better understanding between our two countries.

During the luncheon today, Senator Turano said that there is a great deal of similarity between the Argentine and the United States. The greatest similarity lies not in a comparison of our technical or industrial processes, but in the similar aims of our peoples, who represent two great nations which have exhibited a high degree of leadership in the affairs of all the Western Hemisphere.

We are delighted to have you here. We hope that this will be only the first of many visits to us. If we can do anything to make your visit a success, please let us know, and we shall do the best we can.

Mr. KUCHEL. Mr. President, I wish to make a somewhat more analytic point. I believe that what is really needed in Argentina, as in the United States, is a demonstration that a few of us in the U.S. Senate can speak a little Spanish.

Mr. JAVITS. Mr. President, I shall be delighted to shake the hands of our distinguished guests. I bid them welcome—con mucho gusto. I am very happy that they are here. I congratulate them on their trip. I know that it will help us in our relations with Argentina.

At the conclusion of the recess (2 o'clock and 45 minutes) the Senate was called to order by the Presiding Officer (Mr. McGee in the chair).

THE GERMAN CRISIS

Mr. JAVITS. Mr. President, on Thursday last the distinguished deputy majority leader, the Senator from Montana, made a visit to this Chamber on the German situation. It is my intention to address myself this afternoon to that same and to advance some thoughts and solutions applying to the German crisis.

The Senator's speech was a thoughtful and considered speech, proposing a policy which I believe was welcomed by the majority, and I believe was welcomed by the minority, and I believe was welcomed by the whole Senate.

I wish to make it clear that I do not believe that provision of the Constitution which entitles the Senate to give the President its "advice and consent" in making treaties—"in other words, foreign relations. Senator Mansfield in his speech said that he makes the suggestions in the spirit of responsible Demo-
eratic cooperation with the Republican administration in a matter of vital concern to all of the people of the United States.

I have a long-standing interest in the problems of Germany, going back to my service on the Foreign Affairs Committee of the House of Representatives where I was responsible for special studies on Germany on many occasions. I also was a member of the subcommittee that pursued the inquiry there on the displaced persons camps and prisons to which I referred earlier. The issue is such an important one for our country and for the future peace of the world that it is important to give the other side of the picture from that given by my respected and distinguished colleague from Montana.

I may say parenthetically that I served as a member of the Committee on Foreign Relations in the New York Times, which is dated February 16, my colleague from Montana made some qualifications and clarifications of his proposals. I shall return to that letter after I have completed my own thoughts on the subject.

The suggestions of the Senator from Montana for negotiations between the two communities of East and West Berlin or East and West Germany, the possibility of putting a United Nations police force in there, should this happen, and his alternative, if it should not happen, for Germanizing—that is the word used by my colleague from Montana in his letter to the New York Times—the military units of West Berlin, were laid before the administration in a matter of vital concern to our country and for the future peace of the world that it is important to give the other side of the picture from that given by my respected and distinguished colleague from Montana.

The Senator from Montana coupled his proposals with a suggestion of a "guarantee, for a period of time, of the freedom of East-West Germany, which may emerge from discussion among the Germans"—presumably the East and West Germans—"thereby enlarging the suggestion for East-West German negotiations to also include the dislodging of East and West from points of imminent contact in Germany and Central Europe." And a "pullback of the so-called ultimate weapons and the Armed Forces of both East and West from points of imminent contact in Germany and Central Europe."

These are the essential quotations. In practical effect, the salient proposals made were for negotiations between East and West Germany to establish an all-Berlin government, to wit: negotiations on Berlin itself. Also, although my mind, I, the lesser shan, was the idea, contained in the Senator's statement, with respect to negotiations about the unification of Germany, again between East and West Germany.

In my proposals of the Senator from Montana represent the abandonment of the two main Western positions: first, that negotiations between East and West Germany are not the way to get there; and, second, that the unification of Berlin should be a part of the unification of Germany; and, second, that the unification of Germany should be accomplished, in the final analysis, by elections and elections, whatever might be the interim steps.

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. I express the hope that the Senator, while emphasizing these points, will keep in mind the fact that they were clarified, at least in my mind, in the lesser shan, was the idea, the New York Times, and that we will discuss that letter eventually.

Mr. JAVITS. I certainly intend to refer to every point at which there was an impression of a policy proposal by his New York Times letter, so that those who are listening may be prepared when at the conclusion of my remarks I shall discuss his clarifications in detail. I have already referred to two. First, there is the idea of negotiation between the two Berlin communities, East and West; and then the question of Allied military personnel in Berlin being replaced with German militia; and now comes the question of German elections.

Mr. MANSFIELD. Does the Senator from New York contend that East-West German negotiations, either in Berlin or between the two German authorities—and I use that term advisedly—are negotiations in those two areas which are something new, or old, or that they have been going on for some years?

Mr. JAVITS. I would say that the negotiations to which the Senator refers are so new as to be revolutionary, but that certainly arrangements have been made with respect to trade between the so-called two Germans, and the Senator from Montana referred to them extensively in his speech. Certainly, they have contact. But the negotiations about unification, it is my position, are extremely new and extremely radical.

Mr. MANSFIELD. Does the Senator contend that there are no contacts on the municipal level between East Berlin and West Berlin?

Mr. JAVITS. I do not so contend. What I said about trade goes for municipal contacts, that two parts of Berlin have arrangements about power, the operation of the subway, and probably, other matters.

Mr. MANSFIELD. I simply wanted to tell the Senator that, because I think it ought to be brought out that on the basis of all the information we can get from responsible officials in the Government, the possibility of German elections, which I fully favor and fully endorse, is practically nil in the foreseeable future; and that foreseeable future may well encompass not simply a year, but perhaps a decade in time.

I thank the Senator from New York.

Mr. JAVITS. I thank the Senator from Montana. If he will allow me to do so, because they are so pertinent to the subject that has been under discussion, the two points which he has referred to, in his own words, because it is elementary in his own thesis that there should be all-German elections for the unification of Germany.

The Senator's words on this subject are worth quoting. He said:

If the unification of Germany is essential and inevitable and if it is neither our responsibility nor the responsibility of anyone to seek that unity by force, then I submit a policy which merely clings to an unrealisable slogan, of free all-German elections, which do not seek to find the sort of unity by other means, is not policy at all. It is a straitjacket.

At a later place, the Senator from Montana said:

All-German elections may not be essential, but at least there must be a chance for men and women of Eastern as well as Western Germany to express themselves on their political and social interests, and participate in political affairs without the threat of terror.

Shades of Poland, Shades of the Geneva Conference of 1955 with its promise of free elections. Shades of the overthrow of the Nazi régime in Central Europe, where the history is that the minute there was a coalition government with Communists in it, and the minute there were not free elections, that was the end of the country. So far as the free world was concerned, it went down the drain.

So I suppose an immediately proper question is: How can the men and women of East Germany and West Germany have the chance to express themselves and their political preferences and to participate in political affairs without the threat of terror?
East Germany will be allowed to express in what direction they would like to go. Mr. Churchill, I think that the life and death issue is basic. The issue is whether we are talking about all the German people or about the people of West Germany. I think that Mr. Khrushchev does not want to see all-German elections, Mr. MANSFIELD. The people of East Germany will be allowed to express their views. They are all very important, but they are not so vital as the life and death issue. It is quite typical of him. I think I may say in this case, my dear friend, the distinguished Senator from Idaho (Mr. CHURCH). I wanted to make some thinking on the Berlin question.

The issue is, will the United States, the United Kingdom, and France, now accept the basic position of the Soviet Union to allow negotiations—this is a point espoused by the senator from Montana, and by me and by the notes of the Senate resolution of last November 27, was simply to try to generate the general idea upon which the Berlin question is to be settled.

I think I may say in this case, my dear friend, that I have no possibility of all-German elections, Mr. MANSFIELD. The people of East Germany will be allowed to express their views. They are all very important, but they are not so vital as the life and death issue. It is quite typical of him. I think I may say in this case, my dear friend, the distinguished Senator from Idaho (Mr. CHURCH). I wanted to make some thinking on the Berlin question.

It is rather symptomatic of how we are both thinking that the next lines in my prepared remarks are these:

We have but 3 months to establish firmly the lines, link the bonds with allies, and establish in the minds of the people of the world the issue is basic. The issue is whether we are talking about all the German people or about the people of West Germany. I think that Mr. Khrushchev does not want to see all-German elections, Mr. MANSFIELD. The people of East Germany will be allowed to express their views. They are all very important, but they are not so vital as the life and death issue. It is quite typical of him. I think I may say in this case, my dear friend, the distinguished Senator from Idaho (Mr. CHURCH). I wanted to make some thinking on the Berlin question.
But the question is: Shall the East Germans negotiate this matter? Or shall the United Kingdom, the United States, France, and the Soviet Union negotiate it, with the two Germanys as their own parties? I favor the latter. As I understand the speech made by my colleague, he favors the former. I believe that is the issue which is being debated this afternoon.

Mr. MANSFIELD. Mr. President, will the Senator from New York yield again to me?

Mr. JAVITS. I yield.

Mr. MANSFIELD. The Senator from New York points out in his speech, which I have read, and which is excellent, that for 14 years the occupying powers have been in Berlin. For a good many of those years the Western Powers and the Soviet Union have been trying to get together to discuss the question of Germany.

The basic tenet of our stand has been that the unification of Germany ought to be decided on the basis of free elections. I favor that. I wish it could be settled. But the State Department officials what the possibilities are of achieving that sound and basic aim, they tell me, in effect, that they do not see a possibility of its occurrence within a decade.

So what are we going to do? Are we to wait for a decade for all-German elections? Or are we going to try to find other ways or means of bringing this question to a head, so it can be settled—and settled in a way which will be beneficial to the interests of the free world and, in particular, of the German people. That is the question.

So far as negotiations between the East Germans and the West Germans are concerned, I repeat that, in both Berlin and the two Germanys, negotiations have been going on. I realize that it is said that they have been going on at a very low level and that those negotiations over chiefly transportation in the case of Berlin and inter-governmental intercourse on an inter-zonal basis between East Germans and West Germans. But if we examine the record I believe we shall find that the negotiations have been on more than a low level, and that, instead, very high officials in the economic ministry of West Berlin have been carrying on contacts with—I assume; I cannot prove it—their counterparts in the East German Government. So, so far as negotiations between the two are concerned, they are nothing new.

We must find ways or means to end the impasse. Although I repeat that I favor—and favor it clearly and absolutely—all-German elections if they can be achieved, I ask whether we are to wait for a decade to bring this question to a head, and perhaps not even then achieve our goal.

Mr. JAVITS. Mr. President, I can answer the question by saying to my colleague that he does not know, and I do not know. If the East Germans were to negotiate, they might have to have free elections even if we were to wait ten decades. However, if we have to choose between waiting ten decades, and not even then having free elections, on one hand and waiting one decade and having free elections, on the other hand, I favor waiting one decade and having free elections. But that still is not the point.

In the Senate, Senators have a very happy arrangement of interrupting each other; and the result is that a Senator, once he is on the microphone, does not reach the main point of his remarks before he encounters arguments against it.

The main thing I have not yet stated is why I do not agree. I disagree in regard to who should do the negotiating. Why? I shall come to that point in my speech; in fact, perhaps it would be better if I come to it now. So I shall state it now.

Mr. HUMPHREY. Mr. President, will the Senator from New York yield?

The PRESIDENT. Mr. MUSKRAT in the chair. Does the Senator from New York yield to the Senator from Minnesota?

Mr. JAVITS. No, not yet.

Mr. HUMPHREY. I thought the Senator from New York was going to come later to the point to which he has referred.

Mr. JAVITS. No; under the circumstances, I shall discuss it now. The Congress must be aware, as well as the Press Gallery are aware. However, I shall discuss that point now.

What the "word" means is that the United States has thrown in, is finished, Germany is done. That is the "word." The minute that word goes out, everything might have to be done. I do not know that they have got to do business with the Soviet Union, whether it is through the East Germans or elsewhere; that the United States is not going to stick it out, and they had better do it themselves.

Mr. President, we are supposed to be an unsophisticated Nation; but if two World Wars, and billions of dollars of our treasure, mountains of our labor, and oceans of our blood, have not taught us sophistication, then, Mr. President, I do not know my country.

That is why I am speaking today. What is our decision going to be in Germany? Is it going to be that we are tired of waiting and we should let the East and West Germans negotiate? It will be the "word" in Germany that counts. In my answer to the point made about our 14 years stay in Berlin, I wish to say we have waited 14 years. We have to find another way. I would not be making this speech if our State Department had not been trying to find another way. I am for carrying on. I want to help the Senator from Montana do it. I am not for letting those in the State Department lose their way. That is why I am bringing this question up. I am not for letting them lose their way in an effort to find another way.
Now I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I commend the Senator from New York for the fact that he has joined in this debate. I regret I have not heard all of his comments. I will, however, try to appreciate that the Premier of the Soviet Union's position on Berlin and reunification of Germany, however nearly as important as what the Germans think will happen in Berlin is not a German problem. I happen to be one of those who believe that the crisis in Berlin, which was made a crisis by the action of Premier Khrushchev and then compounded by the refusal of the whole base of negotiations with the Soviet Union. I believe in negotiations, but I believe we ought to be sure of what our ultimate objective. The ultimate objective must not be only the solution of the problem as it affects the city of Berlin. That is but a fraction, a point, and a minimal point, in the total picture. The total picture should include the reunification of Germany, however that reunification may be obtained.

I want to state my point more concisely: I happen to believe that negotiations between East and West Germany are not the solution. I concur in that statement. I believe the Senator from Montana was trying to point out, not a pat formula, but was trying to encourage us to use some reasonable way out of this impasse, which was more than a static situation, which was developing into a dangerous situation.

I do not believe really enough people in the country appreciate that there can be war over West Berlin. I do not believe really enough people in this country appreciate that the Premier of the Soviet Union has committed his country to an almost irretrievable position on West Berlin. When we negotiate, he has to have something to point to so there can be the appearance that the deadline has been observed. I have reason to believe that unless we are prepared to be as careful as we have been in the past, we can come up with a legitimate program of negotiation, we may have a shooting war over Berlin. If we withdraw from Berlin merely for the purpose of proving a point in this conflict, we shall lose everything in Europe.

I believe negotiations should be taken under consideration by the major powers, as the Senator from New York is suggesting, but I do not think they should be limited to Germany only. Those negotiations must relate to Czecho-Slovakia, Romania, Poland, and other countries. After all, the problem is not Germany; the problem is the Soviet Union.

I do not happen to think there is going to be any immediate solution. I am sure the Senator from New York and the Senator from Montana will agree that, most likely, the negotiations will continue for months, perhaps for years. I do not think we ought to be impatient. The negotiation will take a great deal of time.

We cannot expect the Soviet Union to withdraw from positions in Central Europe under any price we pay. We have not made up our minds what price we want to pay. The Soviets have 23 divisions in Germany. We have 5 in West Germany, in addition to 23 others which we are going to withdraw 5 divisions and the Soviet Union is going to withdraw 5 divisions, it will still have 18 divisions in Germany. So we cannot withdraw troops on the basis of division for division or man for man. It is going to be a slow process.

My point is, Mr. President, that we must know what we want before we start. Let us not be panicked into seeking a solution only of the West Berlin situation. If we plug only that hole, we may find that a leak has sprung somewhere else in the world.

In the next few days I intend to address myself to the problem of central Europe which has been precipitated by the Soviet Union's occupation of certain lands and by the Soviet Union's pressures on our own country as to central Europe.

The question is, how are we to relieve that pressure? How do we set that occupation relinquished? In order to do so, I am convinced we may have to prepare our officials for some fundamental revisions of free Western national security, troop locations, and foreign policy, adjustments, that go far beyond some of the wishful thinking of today.

I am willing to negotiate in good faith, but we must negotiate so carefully that every step we examined 10 times under microscope and then may be negotiated into an untenable position rather than a defensible position.

The argument being made is good. The argument is 5 years or 10 years late. It is at the point of contact between the leading powers in the free world and the Soviet Union and the status quo is not such a policy. Also, this may be a rare opportunity for negotiating with the U.S.S.R. a new political and military order in Europe. But, if we are to do this with hope of success, we must deal with the real party in interest—the U.S.S.R.—and not allow a strictly East-West German solution in which West Germany will be dealing on its own but will know it is dealing not with East Germany but with the colossal U.S.S.R. itself.

I think that the basic proposition with me is that the policy of course of action is our reason for being in Berlin at all. Our being there at all is to assure the people of Berlin that we and our friends and the other free countries have the reunification of Germany under freedom which we cannot properly relinquish. We cannot sanction the Soviet takeover of Berlin or any part of Germany as an inevitable part of a process of a world in which we had such a large share. That is why we first took our stand in Berlin and that is why we are still there and that is why we are likely to stay there for some time to come.

The Senator from Montana says that "We are in Berlin to see to it that when that city is once again the capital of all Germany, the Germans will know that freedom and peace will not be absent from the scene." I wish we were as sure as he is that Berlin will once again surely be the capital of all Germany, but I think that is part of a chain of a world in which we and the others may have a large share. That is why we are likely to stay there for some time to come.

The Senator from Montana says that "We are in Berlin to see to it that when that city is once again the capital of all Germany, the Germans will know that freedom and peace will not be absent from the scene." I wish we were as sure as he is that Berlin will once again surely be the capital of all Germany, but I think that is part of a chain of a world in which we and the others may have a large share. That is why we are likely to stay there for some time to come.
Mr. President, I digress from my previously prepared text to state an observation. I am a lawyer. There are many attorneys in the Senate. We lawyers have an expression to the effect, "It isn't what the facts are; it is what the judge says they mean." It is the same in law, Mr. President, as in politics.

Mr. President, in essence the fundamental point I make about who should carry on the negotiations is that it is not the way the matter looks to us which is so vital. It is that which the American people and the great ones for negotiating and saying, "Let them get together and work it out." What is important is what this is going to mean to the people in Europe. From all the evidence we have, that is the principal difficulty with regard to what was proposed by my colleague from Montana.

As I said before, it will be taken in West Germany as the "word" that West Germany is to seek a deal with the Soviets at the risk of the isolation and neutralization of all of Germany. It would represent the acceptance by the Western allies, the great powers of the construction of the agreements made with the Soviet Union with respect to Germany as well as with respect to the countries beyond.

One of the important things about dictators is that they will always tell one what they are doing, if one will listen to them. The Soviet Union said very frankly, in its document handed to the Allied Council of Ministers, that its unilateral policy on Berlin, the powers at the meetings of the Western allies, the great ones for negotiating and saying, "Let them get together and work it out." What is important is what this is going to mean to the people in Europe. From all the evidence we have, that is the principal difficulty with regard to what was proposed by my colleague from Montana.

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The governments of the three powers (United States, United Kingdom, France) are seeking to force the long since obsolete part of the wartime agreements, which govern the occupation of Germany and which entitled them in the past to stay in Berlin.

East-West German negotiations on Berlin could be interpreted and I believe would be interpreted as our acceptance implicit by choice or by force, of the demarcation of the wartime agreements.

The presence of the Western Powers in Berlin and the organization of the East German state cannot be looked at in a sense that cannot be considered in the light of what brought them into being. The rights of the Western Powers in Berlin are the result of the events of war and of conditions; namely, the encirclement of the city by Soviet-controlled territory, which have not been changed during the intervening time. The Western Powers are also in Berlin in accordance with the agreements concluded by the four powers at the meetings of the foreign ministers after the conclusion of the war. It was originally proposed under the Potsdam Agreement of 1945 that the so-called "zones" prepared Germany for reconstruction of its political life, a democratic basis with freedom for all democratic political parties, and that the Allied Council of Ministers should supervise the formation and activities of the new government. It has been accepted by an all-German government. This was to be established as soon as conditions would permit. The Soviet Union sabotaged this agreement in the effort to bring all of Germany under its control, and, falling that, put East Germany under Communist control, suppressed its freedom, caused its economy to be dependence on the collapsed Eastern European states, and annexed the eastern territories—~the Oder-Neisse line—outright.

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

Mr. Javits. I yield.

Mr. Mansfield. When the distinguished Senator from New York refers to the Oder-Neisse line, to what particular section does the Senator refer?

Mr. Javits. I refer to the territory to the 69,000 square miles east of the Oder-Neisse, taken over by Poland at the instigation of Russia, for which the Soviet Union took an area of something like 90,000 square miles from the Poles and annexed it to the Soviet Union, or does the Senator mean the area west of the Oder-Neisse now incorporated in the East German territory?

Mr. Javits. I speak of the truncated territory, the territory which was taken during the war and in which, in the course of events, the Soviets promised and agreed that they would make the city in West Berlin, and now, since 1955, have set up their own Communist city and, as a result, have been able to control, by placing orders for such an amount of manufactured goods as would fully insure the stability and prosperity of the economy of the free city, and, also, by regular systematic supply of West Berlin of the necessary raw material and foodstuffs on a commercial basis.

Mr. Mansfield. The territory Poland now has?

Mr. Javits. That is correct.

Mr. Mansfield. I thank the Senator.

Mr. Javits. I make the point historically, because we all know the facts. Once the Russians decided they could not get all of Germany, they proceeded to work their will on East Germany as they pleased. This territorial annexation was one of the elements of their working their will on East Germany.

Mr. Mansfield. Mr. President, will the Senator yield further?

Mr. Javits. I yield.

Mr. Mansfield. When and if the two Germanies are unified, does the Senator envisage there may be a problem connected with this so-called truncated area east of the Oder-Neisse—the irreconcilable, the lost territories—in the consideration of the German problem?

Mr. Javits. I think that will be a very big factor. I think it will be one of the really important facts to demonstrate to the rest of the world, and to the party in interest, which is the Soviet Union, which has its "sticky hands" on this, for all practical purposes.

Mr. Mansfield. I thank the Senator.

Mr. Javits. Mr. President, it was this sequence of events which forced the Western Powers to look to their own defenses and brought into being successively the Western European Union, the North Atlantic Treaty Organization, and the inclusion of West Germany in this common defense, and its rearmament, which is going on today.

If we needed any confirmation of the purposes of the Soviet Union and of the need for a judicious position on the part of the Western allies, it is supplied by the sheer arrogance of the Soviet proposed the Oder-Neisse proposal to the West Berlin. For the Soviet Union proposes that only West, not East, Berlin be made a free city.

They say, "East Berlin is the capital of East Germany. We cannot do anything with that. We want to make a free city of your part of it."

Also, says the Soviet Union, if the free city is set up in West Berlin—and now we come to one of those things which only dictators can say with a straight face—"it—the U.S.S.R.—will do its utmost to promote the attainment of those aims by means of economic strangulation. And that will be the end of West Berlin as it is known up to the end of East Berlin.

The very implication of the term "free city" in its historic and legal application is not the freedom of its people but its defenselessness and reliance on security on the respect of its status by its neighbors.

Again using the Little Red Riding Hood analogy, are we willing to accept that guarantee from the Soviet wolf, and perhaps to lie down in peace and quiet with Little Red Riding Hood, which would be West Berlin? I think our answer is emphatically "No."

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

Mr. Javits. I yield.

Mr. Mansfield. Did the wolf lie down with Little Red Riding Hood?

Mr. Javits. No; he did not. My children will call me to account for that analogy.

The Soviet proposal goes on to state: If this proposal is not acceptable to the U.S. Government there is no topic left for talks on the Berlin question by the former occupying powers.

Let it be noted again that there are no proposals here about East Berlin but only about West Berlin.

Stripped of all verbiage, this is really an ultimatum. I think the Senator from Minnesota is correct. The Soviet Union is on a hook. The question is how it is going to get off the hook, rather than whether it intends to go to war, though I thoroughly agree that we cannot rule anything out.

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

Mr. Javits. I yield to the Senator from Minnesota.

Mr. Mansfield. I am glad the Senator from New York is emphasizing that this is an ultimatum, that we are facing a deadline and a dateline. I am delighted that he is bringing out these points before it is too late, rather than if and when something occurs which
might entail great loss of life, not only for Germans, but for Americans. That is what is worrying me to a considerable degree. I am delighted that the Senator is so well informed on that point. I would like to ask the Senator from New York if he does not wish to interrupt the trend of the Senator's fine speech, but I should like to say that the Senator from New York is performing a constructive service this afternoon in giving consideration to the menace of collective thinking. The distinguished Senator from Montana (Mr. Mansfield) did a good thing when he raised the Berlin question on the floor of the Senate a week ago. I think it is true that neither the Congress of the United States nor the people of our country have made up their minds as to the seriousness of the situation. Since 1956 the Soviet Union has taken a number of setbacks. One in connection with the Suez crisis; another in the Lebanon crisis; and one in the Quemoy-Matsu crisis. We must take such events seriously, and I am satisfied that the judgment of the American people and the people of our country is that the Soviet Union must be given a chance to correlate or straighten out for the sake of world peace. I gather from the speech of the distinguished Senator from New York that one of his chief differences with the Senator from Montana is on this point: While the Senator from Montana has suggested negotiations between the two governments in Berlin, the Senator from New York holds that no negotiations should take place unless the four powers take part—because the question of Berlin cannot be separated from the question of the union of Germany itself. I agree with the Senator from New York on that point.

In delivering an ultimatum, Russia has put itself on a limb, as the Senator says—in the position in which it will have to make adjustments, if any progress towards a settlement is possible. Does not the Senator also believe that, without giving up the principles of our position—that is, that we will not withdraw our troops, or give up our rights of access—that while standing firm on our rights in Berlin, and the rights of the people of West Berlin, we must be thinking as to what our position will be in relation to the question of the problem of reuniting Germany?

I suggest that the ultimate solution of the Berlin problem, and of the German problem, may be related to the withdrawal of troops from Germany and of Russian troops behind Russian borders.

We must begin thinking about what our ultimate aim and purpose is. I am sure that the Senator from Montana will agree that these are questions we can discuss.

I congratulate my friend for his very able discussion of this subject.

Mr. Mansfield. Mr. President, will the Senator from New York yield while the Senator from Kentucky is on his feet?

Mr. Javits. I shall be glad to yield in just a moment. First, I wish to respond to the remarks of the Senator from Kentucky.

I am very grateful to my colleague from Kentucky, who is a most distinguished expert in the field of foreign policy.

I intend to yield in a moment to the Senator from Montana; and after I shall have done so, I hope I shall be allowed to complete my statement, when I shall be glad to yield again.

I have a set of explicit proposals which indicates the kind of thinking to which we must condition ourselves in order to bring about some solution.

I remind my colleague that I am very cognizant of what I consider to be a very interesting analysis made by Walter Lippmann in an article entitled "Mr. Dulles Is Doing This," in which Mr. Lippmann sets forth his own analysis as to why the Russians got into this situation. That analysis—and I shall refer to it later—shows that what stimulates the United States to think through exactly what we shall propose, in the way in which a good negotiator always thinks through a proposal. He asks himself, "Is it a proposal to which I can proceed? Is it a proposal which could be accepted by the other side?" Otherwise we completely outtrade ourselves.

I shall make these proposals in the same spirit in which the Senator from Montana made his. I believe they represent a pattern which should be acceptable to us, and ought to be acceptable to the party on the other side if he is negotiating in good faith.

I now yield to the Senator from Montana.

Mr. Mansfield. I join the Senator from Kentucky in commending the Senator from New York for taking the floor this afternoon; and I join the Senator from New York in commending the Senator from Kentucky for the impartial, unemotional way in which he has always shown in the field of foreign affairs. While he may deny that he is an expert, I beg to differ with him in that respect because he is an outstanding authority in that field. Seeing the Senator from Kentucky in the Chamber recalled to my mind an incident which I wish he would either corroborate or straighten out for the Record.

When I was a delegate to the United Nations Sixth General Assembly in Paris, in 1951, the Senator from Kentucky was also a delegate. At that time, as I recall—and I am speaking entirely from memory—the Senator from Kentucky handled the so-called German question.

Is it true that on one occasion, at the Palais des Chaillots in 1951, delegations representing both East and West Germany came before the Senator's committee and represented the two parts of Germany? Was the question of the future of Germany? Can the Senator corroborate that? I am not certain in my own mind.

Mr. Cooper. Mr. President, if the Senator from New York will defer once more, I should like to say that it is correct that in 1951 I was a delegate to the General Assembly of the United Nations, as was the distinguished Senator from Montana, Mr. Mansfield. At that time I had charge of the German question before the General Assembly. We asked representatives of the Government of West Germany and of East Germany to appear before our committee. The chief issue was whether it would be possible to get an agreement upon elections looking toward reunification. After the debate the Chairman of our committee was evid­ent that there could be no agreement. The Russians, who as now were directing the East Germans, stated flatly that there could be no elections under United Nations supervision, and none except in the way they had proposed. Their proposal then was the same as today, the same method of elections proposed in Korea, and the same method proposed in Poland. Their proposals are designed to deny free elections, and to swallow free governments.

All this has led me to believe that Russia will not agree to any general elections at this time and that Russia will not give up its control over East Germany without some quid pro quo. It is a question which we must face.

On the other hand, as the Senator from New York has brought out so ably and rightly, this does not mean that we must give up our position in Berlin, because with him that it is better to wait 10 or 15 years to arrive at a just solution than settle it in the Russian way now. But the danger, and the necessity for an ultimate settlement, requires that new approaches be made on both sides to avert the possibility of an awful war.

I referred earlier to the withdrawal of troops from Europe. I want it to be clear that I was speaking of the possibility of an ultimate settlement which would reunite Germany democratically. If this is a possibility, we may consider that all troops might be withdrawn from Berlin, which will be left under United Nations supervision, and for that purpose for a number of years.

I see one common interest as a basis of negotiations. If we can assume that Russia does not want war, as our country is determined, we can set down a common basis of negotiation. I shall not interrupt my friend from New York any further.

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

Mr. Javits. I yield.

Mr. Kuchel. First I wish to say that I congratulate the able Senator from New York for leading a discussion on the most crucial international question which today confronts not only the people of our country, but also the people of the free world. I yield the floor to the Senator from Montana at a week's time on one point. I heard only a part of what the Senator from Montana said a few moments ago. I rely on my own somewhat faulty recol­lection of what took place at the thirteenth Assembly of the United Nations a half dozen years ago or so adopted a resolu­tion under which a committee was to be appointed from among the members of the United Nations to determine if an
election might be held in West Germany, in Communist East Germany, and in both parts of Berlin, and as to whether or not such elections could be held freely.

My recollection is that the United Nations General Assembly adopted such a proposal, that the committee was appointed. I do not know whether from the Russians of East Germany and of the eastern sector of Berlin refused to permit the members of the committee even to enter those two areas. Am I correct in that recollection?

Mr. JAVITS. I cannot state authoritatively whether that happened or not. I do have a recollection of a similar situation. However, I believe we can draw the analogy, because that appears to be the Communist pattern, judging by what they did with the United Nations Commission on Hungary. There they took the attitude that they would not admit the Commission at all. I have a recollection of the incident referred to by the Senator from California. I am sure we can take it as a finding of fact that the United Nations could not take the position of the Soviet Union and all of its satellites, that they will not let anyone investigate the question of whether any free elections would be possible.

Mr. KUCHEL. I thank the Senator from New York. The establishment of that fact, it seems to me, is an abundant and powerful argument in favor of one of the fundamental parts of the Senator's thesis today, which is respect to the possibility of free elections in that area.

Mr. JAVITS. I thank my colleague. That is absolutely so.

Willy Brandt, governing mayor of the city of West Berlin, said in response to the Russian plan as soon as it was announced:

It is the recognizably good of Communist policy to make the whole of Berlin part of the German Democratic Republic. No amount of talking can divert attention from this.

This is the summation of the point which represents the potent danger, in disarming an unacceptable hazard, of initiatives between the West and East German Governments about Berlin is the fact that it will be taken without question as a signal in West Germany that this is the end of the position of the Western allies with respect to German unification; that the Western position upon the whole subject of Germany is crumbling and will likely be abandoned, and that West Germany had better move to make the best deal it can with the Soviet Union's puppets in East Germany because it is completely left at the post-alone. The victim, with no negotiating power whatever. We need not guess about this. The whole attitude of the West German Government and the government officials confirm this. We are faced with a dreadful danger in which they consider themselves to be and the urgent need, therefore, for maintaining steadfastly the policy upon which we have embarked.

Willy Brandt, of course, is a leading member of the Social Democratic Party, the SPD, which is the primary minority party in the German Bundestag. Chancellor Adenauer is the leader of the Christian Democratic Party. These are the two major parties in West Germany.

Even our official policy now is not an inflexible policy; the Secretary of State has already noted that free elections may not necessarily be the first step toward German reunification, though they certainly should be the last step, and that free elections are not the only way in which to start the ball rolling.

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

Mr. JAVITS. I yield.

Mr. COOPER. I should like to make it clear as a point of the remarks I made a few minutes ago in respect to the disposition of troops, that I was talking in terms of the reunification of Germany, by the people of Germany in free elections. I stand wholeheartedly with the decision of the President of the United States and the Secretary of State, Mr. Dulles, and with the position of the Western Powers that we should not give up any rights we have in Berlin, that we should not give up rights of access either by air or by land, that we should not give up the rights of the people of Berlin to believe that there are common interests to be found—that of avoiding war, that of security—upon which negotiations can go forward.

I stand wholeheartedly with the President and Mr. Dulles in their firm positions.

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. I wish to associate myself with the remarks just made by the Senator from Kentucky. It should be made very clear that while we may, without question and while we may have differences, there are certain things about which there are no differences, and that there are certain actions we intend to take. I stand wholeheartedly with the President and the Secretary of State.

Mr. JAVITS. Now I should like to proceed with the remainder of my address. If any Senator wishes to ask me questions regarding my remarks, I shall be glad to yield.

Mr. President, I ask unanimous consent to have printed in the Record, at the conclusion of my remarks, the actual questions and answers with respect to the statements of Secretary Dulles, and his statements on this subject.

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

(See exhibit 1.)

Mr. JAVITS. In pursuance to the inquiry of my colleague from California [Mr. Kuchel], I now make the following propositions. For West Germany, negotiations, with East and West German advisory participation. The proposals, some of which are on the table, and some of which are not, are:

First, a real understanding exists that the mutual security of both East and West demands that the military balance of power should not be changed to the detriment of either side. Proposals have been made for an undertaking by the North Atlantic Alliance not to move its defenses eastward beyond their present position, if a reunited Germany should choose to remain in the Atlantic Alliance, and to treat East Germany as a demilitarized buffer zone containing only ordinary police forces to maintain internal order, so that there will be no more an integral entry into East Germany of NATO forces, even though they are Germans.

Second, Agreement is possible that no missile bases are to be built on German soil, East or West.

Third, There can be a thinning out of forces in West Germany—not now talking about West Berlin, but West Germany—In return for a thinning out of Soviet forces in East Germany, a process which lessened tensions after the achievement of German unification would make increasingly possible.

The President and Mr. Dulles have indicated their interest in entering into a European security pact, superimposed on both the NATO alliance and the Warsaw Pact. Fact is, the President and the Secretary of State have backed a Soviet proposal of an East-West non-aggression pact. In this respect, action is necessary. It should be made clear, however, that the conversion of Eastern Europe into satellites is not condemned or approved.

In that respect, we should all recall the words of the Senator from Montana that East Germany is but one example of a complex of slavery which has been imposed upon Eastern Europe. It is my view that if we can be successful in working out the situation of West Germany, then we will begin to unlock the door of central Europe, while if we relegate East Germany to Soviet servdom, for decades to come, we can write off Eastern Europe at one and the same time.

Fifth. Every effort is being made at Geneva to arrive at a solution with the Soviet Union on the problem of nuclear testing, and the prevention of surprise attack. Both sides, self-enforcing through effective systems of inspection and control under United Nations auspices. It is well known that these negotiations have gotten nowhere.

Under the spur of German reunification, these negotiations can be commended. One way out of the present impasse at Geneva opened by a European settlement would be the acceptability of a workable short-term effort in pursuit of so-called German self-helping through effective systems of inspection and control under United Nations auspices. It is well known that these negotiations have gotten nowhere. Under the spur of German reunification, these negotiations can be commended. One way out of the present impasse at Geneva opened by a European settlement would be the acceptability of a workable short-term effort in pursuit of so-called German self-helping through effective systems of inspection and control under United Nations auspices. It is well known that these negotiations have gotten nowhere.
Mr. MANSFIELD. And that under his fifth point he is advocating a reasonable solution, at least, to the two conferences now in progress, one of them in suspension, of course, suspended, I believe, by each of the two forces—both conferences taking place in Geneva, by the way—and the other conference looking toward the ending of the testing of nuclear bombs?

Mr. JAVITS. The Senator is correct.

Mr. MANSFIELD. Does the Senator recall that my ninth suggestion, which the testing of nuclear bombs?

Mr. JAVITS. I made a week ago today, covers the recall that my suggestion, which covers the reasonable agreements which may emerge from the Geneva conference on surprise attacks and the suspension of nuclear testing?

Mr. MANSFIELD. I am delighted, rather than displeased, that I did not call your attention to that point. I think we ought to take a stern lesson of time in order to bring about both things.

I think we ought to take a stern lesson of time in order to bring about both things.

The Western Powers have not been truculent, even about the impediments which might be placed in the way of access to West Berlin after May 27, 1959. The suggestion is abroad that even the East German puppet government could, under proper circumstances, be treated as the agent of the U.S.S.R.; also that United Kingdom, United States, and French counter-moves will be in relation to the seriousness of the impediments put up to West Berlin moves will be in relation to the seriousness of the impediments put up to West Berlin access.

The President made that clear just yesterday, in answering the sweeping, dangerous statement of Khrushchev, a statement of the utmost seriousness, in which Khrushchev said that if anyone should start shooting, it would mean the beginning of war.

The President hastened to reassure him—and there he was on solid ground as a great military commander—that we do not intend to start shooting unless it is a situation which the Russians create demands it. It seems clear that we will resist, but we are not threatening major war over minor difficulties. We will react strongly only if it is really absolutely essential.

Mr. MANSFIELD. Mr. President, will the Senate yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. I was interested in the paragraph in which the Senator from New York said:

The Western Powers have not been truculent, even about the impediments which might be placed in the way of access to West Berlin; and, finally, I think it is clearly implied that United Kingdom, United States, and French counter-moves will be in relation to the seriousness of the impediments put up to West Berlin access; and, second, we must, once and for all, be at one with our allies.

Mr. MANSFIELD. The Senator also said:

United Nations consideration will be sought before there is any serious counter-move by the Western Powers against an effort to impede access to West Berlin.

Who made that suggestion?

Mr. JAVITS. As I understand, the suggestion was indicated, if not actually made, in the talks by the Secretary of State.

Mr. MANSFIELD. The Senator also said:

United Nations consideration will be sought before there is any serious counter-move by the Western Powers against an effort to impede access to West Berlin.

Who made that statement?

Mr. JAVITS. Again, I think, the Secretary of State.

Mr. MANSFIELD. And then:

Finally, I think, it is clearly implied that the United States could be in relation to the seriousness of the impediments put up to West Berlin access.

That, likewise, is an indication of Western opposition. Does not this show that the Western position, under the leadership of the United States, is one of fairly good flexibility at this time?

Mr. JAVITS. I think so.

Mr. MANSFIELD. Does it not indicate that the old position of rigidity both under Democratic and Republican administrations has been modified to a certain degree?

Mr. JAVITS. I thoroughly agree.

Mr. MANSFIELD. Would not the Senate agree that attempts made to widen the field of maneuver and to give the people of West Germany a chance to have a part of the best interests of the Western nations and might be used to strengthen the hand of Secretary Dulles in conducting negotiations respecting Berlin?

Mr. JAVITS. I think I made that point before with the Senator from Montana, namely, that I am all for showing them a new way, a better way, a clearer way, but I am not for showing them how to lose their way.

Hence, the fundamental point of difference, which I reiterate, that I want the four-power negotiations. I am for negotiating with the Russians, as the means by which the West German nations can be established as independent and free and united Germany may be created.

It seems to me that we are not too far apart in what I have said and what the Senator from New York is proposing in his speech and in the resolution he intends to submit to the Senate.

Mr. JAVITS. I hope we are not too far apart. I am delighted that the Senator from Montana has joined me. I hope very much we shall agree.

I hope very much that we can agree, because the various areas that both of us have described as "flexibility" are, as Senator Mansfield knows— and quite properly so—the result of an apparent determination by the United States. I am not speaking on the basis of conversations with the President or with the Secretary of State, but I believe it is quite clear that this decision was made. First, there must be room for maneuvering; and, second, we must, once and for all, be at one with our allies.

So the whole complex situation we have been discussing today and to which I have been alluding in the course of my speech on the resolution I am proposing, is the recognition that there has been essentially agreed upon between the United States, the United Kingdom, France, and West Germany. It is all to the good that we are together on a common policy which is flexible, but which at the same time preserves the fundamentals.

But I repeat that we should not forget where we began. We began with the proposition that because we have almost become exhausted, after waiting 14 years for this thing, let us let the East Germans say the East Germans "go at it." I am opposed to that; and, indeed, that is what I have addressed myself to today.
Mr. JAVITS. I yield. Mr. MANSFIELD. I wish the Senator from New York would analyze the statement I made last Thursday, as well as the 800- or 900-word letter I wrote to the New York Times.

But, as I understood the Senator from New York to say, he believes that, so far as the West Germans are concerned, the Western Powers should consider them as advisers; but that so far as the East Germans are concerned, the Western Powers have the right to deal with the East German puppet government as the agent of the Soviet Union itself—if I correctly interpret the statement he made. Such an arrangement would give the East Germans far more prestige and standing than that which would be accorded the West Germans, on the basis of the resolution of the Senator from New York.

Mr. JAVITS. I do not think that is at all what I have in mind. If the words I have used are inartistic, in the opinion of the Senator from Montana, I am sorry.

The important point is to relate this matter to action in regard to Berlin—for instance, in regard to the stopping of our convoy, just the other day, while it was in Russian waters. That would be the sort of act which would relate to agency. It will be noted that my resolution does not say anything about agency. It is not part of my prepared argument; it is not what I am talking about.

Mr. President, in essence we have to make up our minds whether we want to go for quick, one-package solutions, or whether we want to enter into extended negotiations time after time—14 years—without seemingly endless armament negotiations have dragged on, and without a particular solution on Berlin which is implied until solutions to the abandonment of positions which it considers to be critically important to its own security. So, for example, disarmament negotiations have dragged on, now, for just about the same length of time that the Eastern German puppet regime has existed. The whole morality of our policy is built—the principle of the self-determination of peoples and of the United Nations Charter.

We have been trying to get almost 14 years. That is a very long time; but as the affairs of men go, it is not a very long time at all. We do not see the Soviet Union hastening to solutions and to the abandonment of positions which it considers to be critically important to its own security. So, for example, disarmament negotiations have dragged on, now, for just about the same length of time that the Eastern German puppet regime has existed. The whole morality of our policy is built—the principle of the self-determination of peoples and of the United Nations Charter.

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Mr. JAVITS. Yes; I assume it would be by the de facto action of those Governments in recognizing the East Germans as an agent.

Mr. MANSFIELD. In his resolution, the Senator from New York is advocating that the East Germans and the West Germans be considered as advisers; and he has said the Senate has indicated that the agent of the Soviet Union. I assume he means that would be agreed to by the United States, the United Kingdom, and France. Is that right?

Mr. JAVITS. Yes, Mr. President. I desire to have my position clearly understood. I have stated my position time and time again, and I shall state it again now: As everyone knows, the West German Government would have in the Eastern German puppet government as the agent of the Soviet Union. Mr. MANSFIELD. Of course, the first resolution of the Senator from New York does, as I previously indicated, call for the use of the West German Government and the East German Government as advisers in such negotiations on the means whereby a free and united Germany may be created.

Mr. Senator from New York has just finished stating that the Secretary of State is the one who has made the statement that even the East German puppet government could, under proper circumstances, be the agent of the Soviet Union. I assume he means that would be agreed to by the United States, the United Kingdom, and France. Is that right?

Mr. JAVITS. Yes, Mr. President. I desire to have my position clearly understood. I have stated my position time and time again, and I shall state it again now: As everyone knows, the West German Government would have in the Eastern German puppet government as the agent of the Soviet Union. Mr. MANSFIELD. Of course, the first resolution of the Senator from New York does, as I previously indicated, call for the use of the West German Government and the East German Government as advisers in such negotiations on the means whereby a free and united Germany may be created.

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Mr. JAVITS. Yes; I assume it would be by the de facto action of those Governments in recognizing the East Germans as an agent.
Mr. DODD. Mr. President, I wish to say to the senior Senator from New York that I think he has made a great contribution to clarification of thinking on this subject, and one which, I believe, is right throughout the country. I know that the Senator from Montana intended to do just that too. I commend the Senator from Montana for what he has said here today and I agree heartily with him.

I should like to make a point or two. One of them is that I have had a larger amount of mail and inquiries on this subject than I have had on any other in the week, and which has elapsed since the Senator from Montana made his speech. This fact led me to conclude that there is a lot of confusion in the minds of many people in Connecticut as to just where the United States stands on this vital issue. That is one reason why I think the statement of the Senator from New York today is very helpful. I have heard with great interest the questions and the responses of both the Senator from Montana and the Senator from New York, and I trust that this colloquy will help others understand this situation.

That is the reason why I drew up the resolution to which the Senator from New York referred. I thought it would help at least to establish the fact that there are some basic principles about which there are really no differences between those of us in Congress, the administration, and the American people.

I think it needed a few more words. If I can speak with any authority about what the reaction has been abroad, except from what I have read in the newspapers. But if what I have read has been accurately reported, then great concern has been caused abroad by the appearance of division within this country.

I think we need to make more clear the areas of agreement that exist. This I believe can be done by adoption of the resolution which I have proposed today. There are no doubt other ways, and more effective ways of doing it, but I have favored this resolution as one way to do it.

I think the suggestion included in the resolution of the Senator from New York, that a group of Senators be sent abroad to reassure the people of West Germany and of Western Europe, is a good suggestion. I would have been happy, if I had thought of it, to have had it in the resolution which I proposed.

I wonder if the Senator from New York, and the Senator from Montana, too, would not agree with me in this: I think the Senator from New York said that the reunification of Germany is important as that is the major premise. I think that is true. I wonder if he will agree as well that the key question is not the reunification of Germany itself, but the survival of the free world, which will be impossible if West Germany is swallowed up by the Communists. That is, in the mind of the Russian officials, the way they would like the Senator to comment on this proposition if he cares to do so.

Mr. JAVITS. I think the Senator from Connecticut is stating what I will believe, and I think Senator from Minnesota had the same thought—that is, we are dealing with the fundamental peace of the world; that Germany is the focal point of the friction. If we have been given an opportunity, by the obvious threat in the so-called ultimatum, to pull down to cases, then perhaps mankind has moved forward a little bit in respect to its very grave problems. I do agree with the Senator from Connecticut.

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

Mr. JAVITS. I yield now to my colleague from Kentucky.

Mr. MORTON. Mr. President, I thank the Senator from New York. First, I wish to commend the Senator from New York for his very able presentation and for the clarity with which he has gotten to the very root of this question. I had the privilege of serving with the Senator from New York for several terms in the House of Representatives when he was a member of the Foreign Affairs Committee. Other than that, I worked with him in my capacity as Assistant Secretary of State for Congressional Relations while the Senator from New York served on that committee.

There is the basic point is stated in the paragraph of his prepared text which reads:

I think the issue is a very basic one. The issue is, Will the United States, the United Kingdom, and France, which are the Western Powers, under any circumstances, agree to maintain jointly with the Soviet Union a division of Germany that permits the formation of agents, call them what you will, of a new German state under the Kremlin? Call the East German government the puppet government of the Communist world. It is a puppet government of the East, the puppet state of the world which the Kremlin is attempting to create. Whether it is a puppet state or not is immaterial; what is material is the fact of its existence. I think the Senator from New York for several terms in the House of Representatives when he was a member of the Foreign Affairs Committee. Other than that, I worked with him in my capacity as Assistant Secretary of State for Congressional Relations while the Senator from New York served on that committee.

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Mr. MORTON. Mr. President, will the Senator yield?
Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. Mr. President, I wish to compliment the distinguished senior Senator from New York on his able contribution to the discussion of the German questions. I will say that we are not very far apart in our understanding of the situation, and it is my hope that out of the speech and the debate this afternoon, as the distinguished junior Senator from New York have said, there will come clarification.

When the Senator says that he supports the new policy of including East and West Germany, his discussion of German unification he is approving a course which is consonant with my belief that there must be talk, a great deal of talk between Germans of East and West, if the peace is kept.

I will say further that, like the able Senator from New York, I recognize unification of Berlin is a part of the total problem of German unity. It is the Western military position which is the most vulnerable and where the possibility of conflict is greatest and most imminent.

Further, the divided Berlin setting does provide a microcosm in which it may be feasible to begin the testing of whether we have promise of pointing the way to an acceptable unification of all of Germany. I do not now know what these possibilities are. I doubt whether anybody can know this at this time. But is it inconceivable that they may not include something other than free all German elections at least in the initial stage, will all Germans themselves begin to think, in all seriousness, not of what they would like to have in an ideal sense, but of what is possible, of what they can in all decency live with, today, we shall not know what the possibilities are.

I thank the Senator for his kind comments on my remarks of February 12th, and I compliment him again for his contribution today. We need this sort of discussion. We need a great deal of it in order to see clearly what is right for this country and for peace in the coming years. In Germany's neighbors and Germany itself.

I feel very strongly that these negotiations should be broad enough to make it clear that the issue of Berlin cannot be isolated from all the broader issues. Certainly we will concede the problem of Berlin in concentrated form, but the issue of reunification of Germany. By the same token, the problem of Germany cannot be isolated from the problem of Central and Eastern Europe, an over-all European settlement which did not deal with all these problems would be unrealistic and, in my judgment, doomed to failure.

I think the Senator from New York has performed a very great service for all of us in presenting this picture as he has today, in this well reasoned and eloquent speech.

Mr. JAVITS. I am very grateful to my colleague from New York, who is new to this body but who in the House showed an unparalleled capability for dealing with the problems of the National Legislature. I am confident he will make an equally fine record in this body.

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Mr. JAVITS. I yield.

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Mr. MANSFIELD. Mr. President, will the Senator yield?
under NATO guarantees. Quite aside from the fact that the Soviets have already announced their readiness to unify West Berlin and that West Berlin belongs to neither West Germany nor NATO, this proposal not only proposes the removal of free forces, but it is the surest way to a conquest of free Berlin by a Communist-dominated militia.

The fact that the under prejudices Western rights in Berlin but is the many nor nexed East Berlin to East Germany, and that wrong. He is wrong, we believe, on these Communist-dominated militia.

points, and the sooner he rectifies them the better for the West and for peace.

SUGGESTIONS FOR GERMANY—PROPOSAL FOR THE SETTLEMENT OF THE BERLIN PROBLEM DEFENDED.

To the Editor of the New York Times:

I wish to thank you for the interest which you showed in my remarks in the Senate on February 12. In your editorial of February 14 you expressed the view that I was wrong on several points and that the sooner I rectify them the better for the West and for peace.

I may indeed be wrong, as I noted. It is also possible that you may have misunderstood the points to which you refer.

The differences between the two German authorities, I did not equate two authorities with two Germanies, a distinction which is fundamental for you, therefore, that I have no desire to formally recognize the German partition. My suggestions were not to point out that Germans themselves, who have already talked successfully on some matters, might also be successful in talking on others of greater importance. I do not believe this is the equivalent of formalizing the partition. Certainly it does not mean “forcing West Germany into a deal with Moscow.”

The offer of the Western nations to include Germans of both East and West in the agreement on Berlin is a reflection of what I had in mind. It would be consonant with my view on the essentiality of a heavy German contribution to solution of the problem of German reunification.

EXPLODING POSSIBILITIES

Your second concern may be the result of a hasty reading of the speech. You say I regard “free elections as merely an unrealized hope.” If you re-read the text you will find that I said “free-all-German elections.” Certainly free elections are desirable in Europe; I consider them the linchpin of free-all-German elections. My thought was that it would be worth exploded for free political expression in the Eastern zone of Germany and free elections in each zone separated, as a step in unification.

I made the point that without some such assurances “the search for peace can lead to the jeopardizing of freedom.” If there are Trojan horses in this suggestion, as you fear, I believe that further thought may lead you to the conclusion that they can be those of freedom planted in the midst of totalitarian East Germany, rather than the reverse.

Finally, you express concern over my suggestions regarding Berlin. Again, I believe you have misunderstood. I do not desire an immediate solution of the Berlin problem; it is also the part which requires the most immediate attention. To deal with Berlin in that sense is not to defer consideration of the Berlin problem.” It is to deal with it on the basis of the priority which it clearly must have.

Your greatest concern is that I would “re-unite Greater Berlin under an all-Berlin Government.” What I have in mind is to reunite Greater Berlin, and replace them first with a United Nations police force and later with German militia under NATO guarantees. If you read the speech again, I believe you will find this interpretation is quite erroneous.

STATEMENT OUTLINED

I did call for efforts to reunify Greater Berlin and its public services which, incidentally, are already partly unified. I did not suggest that this proposal be given a German military interpretation, which I was. I suggested that if this conciliation were to produce unification of the city, then a U.N. interim emergency force would replace both Soviet and Western forces in the city, not just the latter, as you infer.

I did not propose that this U.N. police force would be taken over by a German-dominated militia as you stated. Quite the contrary, I introduced the concept of a German-dominated militia not as a sequel but as an alternative, if U.N. conciliation failed to unify the city.

I emphasized that if Berlin could not be unified, forces representing the concept of freedom must remain in Berlin whether or not the Russians left and that these forces had to be Germanized as rapidly as possible. In context, I believe it is clear that Germanizing meant replacing the Allied forces in West Berlin with West Germans, backed by NATO guarantees.

With all due respect, I should point out that editorialists in other papers did understand (i.e., Washington Star, Feb. 14).

Mike Mansfield.

U.S. Senate.


Mr. JAVITS. Mr. President, I also ask unanimous consent that the text of my resolution and the text of the resolution in which I joined with the distinguished Senator from Connecticut be printed in the Record at this point.

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

SENATE RESOLUTION 82, by Mr. JAVITS

Whereas the Soviet Union on November 27, 1958, issued an ultimatum on Berlin stated to expire May 27, 1959; and

Whereas this ultimatum is in violation of the joint undertakings of Great Britain, France, the Soviet Union, and the United States to replace an aggressive dictatorship with democratic government in all of Germany; and

Whereas the consequence of each of these undertakings would be the significant weakening of the defenses of the United States, France and the United States or Berlin as a price of such accommodation would be the weakening of the defenses of the United States, France and the United States or Berlin and providing the ground for further Soviet advances, undermining the North Atlantic Treaty Organization, and weakening the United States' position toward European unification, atomizing the European Continent once again into isolated and undefended statelets, and threatening the ultimate destruction of the liberties of the millions of Europeans who now enjoy the blessings of freedom; and

Whereas the consequence of each of these developments would be the significant weakening of the defenses of the United States, France and freedom of its people: Now, therefore, be it

Resolved, That it is the sense of the Senate that

1. The United States should continue to seek four-power negotiations with the governments of France, Great Britain, and the United States, and a conference on the means whereby a free and united Germany may be created and to suggest that German advisers be invited to the conference and should be consulted;

2. The United States should, in such negotiations, seek means by which the security of Europe, both East and West, may be guaranteed;

3. The United States should not accept a unilateral recognition by the United States of the agreements regarding Germany or Berlin as affecting in any way the rights and responsibilities of the United States, and that the May 27th may be the actions of the U.S.S.R.; and

4. The United States should take whatever measures may be required to maintain access to West Berlin from West Germany on all the routes that have been by agreement with the Soviet Union assigned to Great Britain, France, and the United States for themselves and for the benefit of the people of West Berlin; and be it further

Resolved, That a special committee of seven Senators be appointed by the Vice President and sent to West Berlin to express to the Senate of that city's government the Senate's firm support and continued support of the trials of the people of West Berlin in the present crisis.

SENATE RESOLUTION 82, by Mr. DOUG.

Whereas a divided Germany threatens the peace, stability, and security of the world; and

Whereas the United States, as the leader of the free world, must provide strong and steady leadership to establish stability and reduce the dangers to world peace and security inherent in a divided Germany; and

Whereas the American people are united in their determination to honor our national commitments and fulfill our responsibilities for free world defense against Communist aggression; and

Resolved, That it is the sense of the Senate:

1. No plan or treaty calling for German reunification is acceptable which does not provide for a free government, ultimately freely selected by the people of West and East Germany;

2. Until an acceptable settlement of the German reunification problem is achieved, the continued presence of Western troops in West Berlin, which has proved agreeable to the German people, is under present conditions essential.
3. The interests of the free world and of the German people are best served by a free West Germany within the Western Community than by a superfluously reunited Germany which is affiliated with a Communist East Germany.  

4. No plan of German reunification or confederation is acceptable which would join a free West Germany with the Communist East Germany, except through the free choise of the peoples of West Germany and East Germany.  

5. Whoever may be in nominal control of East Germany, the United States should enforce the right of free access to West Berlin, in concert with its allies, by whatever means necessary.  

6. Recognition can only be accorded to an East German government which is truly independent and truly representative of the wishes of the people of East Germany.

Mr. JAVITS. Mr. President, I shall not detain my dear friend, to whom I apologize, much longer. I think the Senator realizes I did not make a long speech in order to take up all of the time. I know the Senator is waiting to be recognized.

Mr. President, I said I would address myself to the letter of my distinguished colleague. That would be rather anticlimactic now, I think, but I should like to make one point with respect to the let-ter that he drew to the New York Times dated February 16, 1959, now a part of the debate.  

The Senator considered the fundamental question to which I addressed myself today. "Who shall do the negotiating?" and he said quite clearly that he now accepts a modification to his views. I believe it is the Senator who has modified his view that free elections were the only method by which unification of Germany could come about.  

Question. Mr. Secretary, at your last press conference you said in reply to a question that free elections were not the only means by which unification of Germany could be achieved.  

Secretary Dulles. ...the point is that we should treat any one method as an absolute exclusive one.  

Mr. President, I respectfully submit that the offer of the Western nations to include Germans of both East and West in the approaching great-power talks is a modification of what I had in mind. It would be consonant with my view on the essentiality of a heavy German contribution to solution of the problem of German unification.

Mr. President, I respectfully submit the Senator said it was a modification. Mr. President, I said I would address myself to the letter of my distinguished colleague. That would be rather anticlimactic now, I think, but I should like to make one point with respect to the letter that he drew to the New York Times dated February 16, 1959, now a part of the debate. The Senator considered the fundamental question to which I addressed myself today. "Who shall do the negotiating?" and he said quite clearly that he now accepts a modification to his views.

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Secretary Dulles. ...the point is that we should treat any one method as an absolute exclusive one.

Question. Mr. Secretary, at your last press conference you said in reply to a question that free elections were not the only means by which unification of Germany could be achieved. The original unification of this country came about through legislative action by whatever means, to achieve that end. There was a great deal of subsequent differences of opinion as to just what you meant by this remark. In fact the Department tended to knock it down to some degree or other. Looking back on it can you tell us what you had in mind?

Answer. Well, I think to ascertain what I had in mind, it's necessary to recall precisely what the question was. I think earlier that reunification by free elections was the normal method and the agreed method and represented the wishes of the people of West Germany and our allies.

Answer. No, I wouldn't want to speculate about that. There are all kinds of methods whereby the two peoples draw together, and I merely said that I did not feel that we should treat any one method as an absolute exclusive one.

Secretary Dulles. In your last press conference..."We don't want to have reunification by free elections but we are willing to have it if we think it is in our interest."

Mr. President, I think I will in that mean, sir, that you do not consider their apparent qualified disposition toward conference as a new alternative.

Answer. No, I do not. Quite to the contrary, the proposal for conference and the proposal for a peace treaty with two Germanys are obviously designed not to bring about reunification but to perpetuate the partition, the division of Germany and to frustrate the desires of the German people. Under those circumstances, the Senate would have to be fully informed on the nature of the negotiations that are taking place. I do not think it is in our interest to be surprised by any unification of Germany, but it is not in our interest to be surprised by any unification of Germany that is not the result of free elections.

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DEATH OF REPRESENTATIVE DANIEL A. REED, OF NEW YORK

The resolution was offered by Mr. Reed, in the chair.

Resolved, That the House do order the Clerk to send a resolution from the House of Representatives, which the Clerk will read, in respect of the death of the Honorable Daniel A. Reed, a Representative from the State of New York.

Resolved, That a committee of 25 Members of the House, with such Members of the Senate as may be joined, be appointed to ascertain the amount of membership.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit to the Senate a copy of this resolution.

Resolved, That as a further mark of respect, the House do now adjourn.
The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 84) was read, considered by unanimous consent, and unanimously agreed to, as follows:

RESOLVED, That the Senate has heard with profound sorrow and deep concern the announcement of the death of Hon. Daniel A. Reed, late a Representative from the State of New York.

The President pro tempore announced the death of two Senators appointed by the Presiding Officer to join the committee appointed on the part of the Senate to attend the funeral of the deceased Representative. Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Senator, the Senate, at the conclusion of its business to-day, adjourn until Monday next.

Under the second resolving clause the Presiding Officer appointed Mr. Jarvis and Mr. Javits, as the committees on behalf of the Senate to attend the funeral of the deceased Representative.

Mr. JAVITS. Mr. President, a tall, straight tree in the forest has fallen. Lieutenant Governor DAN REED is one of the truly great athletes. He was a fine athlete he was, erect in posture, firm in manner and governed ever by a sense of fair play.

I shall take less than 2 minutes. Really one could talk for an hour about Dan Reed. He was the dean of our delegation. I knew him very well. He was the chairman of the Committee on Ways and Means. He was the senior Republican on the committee for many years. I believe every Member of the House knows him, how DAN REED fought with all his heart and soul for economy, for strong money, and for integration in the financial policies of the United States.

Also he had a lifelong devotion to the Interparliamentary Union, and attended its meetings year after year. Finally, in 1958, he was elected president of the American group to the Interparliamentary Union.

In the 83d Congress he was a member of the Foreign Economic Policy Commission established by the President. He served in the House of Representatives for 45 years, which is a legendary period of time.

My colleagues will perhaps deal with the memories of Dan Reed's life. We both loved him dearly. I wish to speak of Dan Reed as an athlete, a football player. He was a great man in that field, and one always knew he was honest and able. He was one of the best.

Dan Reed had other memorials in addition to those engraved in annals of the Republic. He also built men.

Upon his graduation from Cornell he coached football at his alma mater and other colleges in the East. He pioneered the use of pictures of his team in action to point out the errors of the players, projecting the pictures on a screen in the form of color slides. He carried this deep interest in color photography with him the rest of his life as a hobby.

Based upon his feeling for football, and the great interest he always showed in it, DAN REED will always be to me a model of the straight man, both in his life and in his work, as well as in his devotion to the great cause of the football which means the best that men have and uses it to the full.

DAN REED was a mentor, a friend, and an inspiration. Those who knew him mourn him. All will miss him.

Mr. JAVITS. Yesterday, in the afternoon, the death of Representative Daniel A. Reed this morning was certainly a grievous blow to me, and I feel sure it was to all those on both sides of the aisle in both Houses of Congress.

He was not only the dean of our New York delegation. He was the senior in point of service among Republicans in the House of Representatives. He was a man and a Statesman who did a singular service to the people he represented and his unwavering dedication to the causes which he felt were just and right serve as beacons lights for all in public service to follow.

DAN REED's kindly ways, fortified by a stern belief in principles so basic as to become the very warp and woof of the man himself, which takes to all who were privileged to know him.

To me personally he was a tutor and a guide when I first came to the House of Representatives. He was understanding in his willingness to help and in his readiness to give advice and counsel.

In those positions in which my conscience dictated that I should differ with him on issues, he was just as pleasant and agreeable the day after we had differed in our votes as he had been the day before. I shall always remember that.

The people of his Congressional District, the people of New York, and the people of the Nation have lost a tried and true friend and a stanch champion.

My colleague will perhaps deal with other phases of DAN's life. We both recognized many years ago. A catastrophic event which he contributed so significantly.

One of our constant problems is the threat of devastating forest insect and disease epidemics. The spruce budworm, a native insect, which has caused tremendous timber losses in Canada, is now epidemic in Minnesota. Nearly a million acres suffered defoliation in 1958, and some tree mortality has already occurred. Research in methods for controlling such situations is highly essential.

The regeneration of our forests is often severely affected by insects and diseases which attack the cones and the young seedlings. Research in preventing such losses could mean a solution to the continuous costly fire suppression.

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The Congress and the Nation are the richer for DAN REED's years of dedicated service. All of us mourn his passing and send our sympathies to his family and friends and in the annals of the Congress of the United States, to which he contributed so significantly.

BASIC RESEARCH IN FORESTRY

Mr. McCARTHY. Mr. President, the distinguished Senator from Mississippi [Mr. STENNIS] recently inquired of the department of conservation of the State of Minnesota, as well as of similar departments in the other States, concerning the interest of the State of Minnesota in basic research in forestry. The commissioner of conservation, the Honorable George A. Selke, has indicated in his reply to Senator from Mississippi the great interest of the State of Minnesota in this research. I ask unanimous consent to have inserted in the Record a copy of Commissioner Selke's reply to the Senator from Mississippi.

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

STATE OF MINNESOTA,
DEPARTMENT OF CONSERVATION,
HON. JOHN STENNIS,
United States Senator, Washington, D.C.

DEAR SENATOR STENNIS: I acknowledge your letter of January 11th expressing your appreciation your special interest in forestry research and its support by the Federal Government.

I add my voice to the several divisions within the department of conservation which have an interest in forestry and its multiple uses. This supports wholehearted support to your proposals to obtain funds to enable an adequate program for basic research in forestry.

We, in Minnesota, look to our forests for many things. They supply the raw material for our forest industries and pulp and paper plants. They protect the headwaters of three major continental drainage basins, and they are the areas which provide the basis for our recreation. We look to the forests for fish, wildlife, and many other products.

One of our constant problems is the threat of devastating forest insect and disease epidemics. The spruce budworm, a native insect, which has caused tremendous timber losses in Canada, is now epidemic in Minnesota. Nearly a million acres suffered defoliation in 1958, and some tree mortality has already occurred. Research in methods for controlling such situations is highly essential.

The regeneration of our forests is often severely affected by insects and diseases which attack the cones and the young seedlings. Research in preventing such losses could mean a solution to the continuous costly fire suppression.

It has been said that Minnesota has the Father of the Forests. Minnesota supplies a large portion of Minnesota's forested areas. The Hypoxylon canker, a relative new disease of major proportion in aspen, must have more attention. The other basic research need concerns the role of our forests as regulators of our water resources. The need for studies of the many watershed problems associated with the use made of our northern forests was described many years ago. A basic effort was made to drain these forest areas and convert them to agriculture. The land, although ideal for trees, proved unsuitable for crops and the farmers with debts they could not pay. The damaging effect on ground-water recharge and flood abatement were severe.

Our department of conservation, as well as sportmen, industrialists, and water-users generally, recognize that these forests are not only important as a source of wood supply, but equally important for protecting the headwaters of rivers that carry the commerce, generate power, and provide water for industrial and domestic uses, as well as habitat for forest game.

The use of our waters by pulp mills, fishermen, and industry, have caused conflicts to develop. These differences will not be resolved without a fund of sound, basic research information to call upon. Should these forested bogs and swamps be drained, or should they be maintained in their wild state? Some industries are planning to use water from our bogs. Farmers are using them for irrigation. Yet no one knows the values of these vast bodies of water as a source of ground-water recharge or for stabilizing influence on streamflow.

Department of Conservation, as well as other fields work more basic research, including facilities, are required. These include forest succession, establishment and utilization. In each a substantial increase in the research effort would be money well spent. The Lake States region
congressional record - senate     2737

1959

THE ECONOMIC GAP

Mr. Kennedy. Mr. President, the attention of the Congress and the American people has been turned, and properly so, to the forthcoming "missile gap." I have spoken on this floor previously about this gap and the dangers it presents. I intend to address myself to the subject again, but I wish to speak today about a gap which constitutes an equally clear and present danger to our security.

Unlike the missile gap, the gap to which I refer is not even on the surface. We feel that research on insects and disease, watershed management research, and wildlife habitat research have long been neglected and are most important.

In recapitulation, may I say that we believe additional information is necessary in the following several fields:

1. Added emphasis on insect and disease research is highly essential.

In Minnesota some examples of present problems are:

(a) Spruce budworm epidemic—now covers 1.2 million acres. Present research needs to be accelerated.

(b) Insects attacking seed and plantations—main cause of failure to get reproduction in conifers.

(c) Hypoxylon canker—on aspen for some 30 million acres in the Lake States. Minnesota is losing as much aspen wood from this disease as it uses each year in its pulp mills.

(d) Root-rot in nurseries—spruce and pine seedlings are dying in Lake States nurseries because we don't know control.

2. Utilization and marketing research.

Excess of low-quality and little-used species need development of small wood-using industries and economical methods of harvesting.

3. Wildlife habitat studies.

Especially important in silviculture of aspen and conifers. Would be a significant supplement to timber. Where lack of knowledge about wildlife food and feeding habits is a deterrent to solution of forest yields.

We hope that adequate funds will be provided the Lake States Forest Experiment Station to complete the facilities which will be built as a result of the construction of the forestry laboratory at Grand Rapids, Minn. I understand about $200,000 is needed for the completion of the proposed service building in favor.

We hope your efforts to provide basic information founded on thorough research will be successful.

Very truly yours,

George A. Sells, Commissioner of Conservation.
of 2 percent. But more typically these nations are also areas of great population growth. In countries with annual population increases of 2 to 3 percent, such as India, China and the rest, the need for additional plans to give 8 to 9 percent of its national income growth is not to be offset by the rise in population. During the past year India raised its national growth rate of 1.5 percent to 2 percent, and 2 percent of this is largely dissipated by population increases. Two years ago India was reaching a national growth rate of nearly 5 percent. The setbacks in her plan and bad harvests have blighted this achievement.

In short, in nations in a hurry to emerge from the rush of underdevelopment, Communist China offers a potential model—1958 was their "round." As their trade and aid offensive mounted, as their own example proved more attractive, our own aid programs faltered and ceased to do it at all.

But 1959 could and should be our "round," our year. We have in this Congress, in these next few months, a moment of opportunity which may never come again. It is on this note of action, in the right way, we may reverse the ever-widening gap—our may diminish the threat of a Communist takeover, and increase the chance of a peaceful evolution. We can and should achieve a better preparation for local combat, but also a ferment for local progress. Such a redirection to constructive military purposes can help to reorient the goals and objectives of foreign military leaders toward domestic development and away from external adventure. But this is not enough.

We can and should take up the more constructive proposals, and try to break the logjam restricting our use of surplus farms crops abroad, to ease the food crisis in such nations as India and Pakistan without impairing the markets of such countries as the United States and Canada. We may be blessed, and yet we are unable to make it more than a marginal asset in world leadership. We must expand the range of our agricultural aid and development, and much more, to other foreign aid decisions. But this is not enough.

We can, and should, formally dedicate the year 1959 to the concept of inter-regional, inter-national, and inter-continental groupings. If this is possible, we will be able to form a new bloc without the revolutionary ferment for local progress.

Which answer emerges is in large measure for this Congress to decide.

In recent years, the scale of our effort in foreign economic policy has been hardly the levels of domestic policy considered to be the requirements of the domestic budgetary and political situation.

It is time now for that effort to be based upon the requirements of the international economic situation—and our own national security. Let us see exactly what is needed, when it is needed, how much of it must come from this country, and how much it will cost.

And then let us enact the program that will do the job. To do less than is needed is just as wasteful as to do more than is needed. To put it off is just as dangerous as refusing to do it.

THE DEVELOPMENT LOAN FUND

By what means do we attack this problem? If we are to mobilize our efforts and our resources to conquer this problem before it conquers us, what must we do? There are several desirable steps to be undertaken.

We can and should increase the lending limits of the World Bank and enlargement of the reserves of the International Monetary Fund. But this is not enough.

We can and should achieve a better balance between military and economic programs. Such a balance, including local economic development, of that military assistance. In some areas there are substantial untapped potentials for economic development purposes if local military forces can be guided on to constructive civilian tasks—public works, community construction, irrigation works, bridges—which will not only make our granting and preparation for local combat, but also a ferment for local progress. Such a redirection to constructive military purposes can help to reorient the goals and objectives of foreign military leaders toward domestic development and away from external adventure. But this is not enough.

We can and should take up the more constructive proposals, and try to break the logjam restricting our use of surplus farms crops abroad, to ease the food crisis in such nations as India and Pakistan without impairing the markets of such countries as the United States and Canada. We may be blessed, and yet we are unable to make it more than a marginal asset in world leadership. We must expand the range of our agricultural aid and development, and take a series of other steps previously suggested on this floor and elsewhere. It is almost exactly a decade since the world emerged from its immediate postwar problems of reconstruction and international issues of growth. It is exactly 10 years since President Truman enunciated Point 4. There is a decade's experience to survey, successes and failures to be identified, new problems of world food, and their exchange; technical and scientific problems to be isolated and subjected to concentrated efforts at breakthrough. Even more, there are forward commitments to be made and plans developed for the decade which lies before us. But this is not enough.

The heart of any solution must be a substantial, long-term program of providing the underdeveloped areas from a fully capitalized central fund, capable of working with either independent nations or regional groupings.

This is a sound concept and feasible. The need for it is not new; I make no claim to being the first to describe it. On the contrary, for the tool which we are looking is already in existence, the Development Loan Fund.

But the hard facts of the matter are that the Development Loan Fund has never fulfilled the barest intentions, much less the long-range visions, of its founders. It has failed. It has totally faild to fill the need for long-term capital, because it has never been given either a long term or very much capital. It has never been permitted to take hold of any major foreign development project, let alone the projects in the less developed nations, and the needs of less developed nations are the real incentive to present programs and activities of highest promise for future economic growth.

Instead the Development Loan Fund is in real danger of becoming just another lending institution without distinctive criteria or functions. It has tended to be isolated from economic decisions for particular projects without regard to their significance to the recipient's long-range overall economic development.

This is not only wholly inadequate to meet the crisis of the economic gap; it is also wholly contrary to the purpose of the program. The Senate Foreign Relations Committee originally intended a permanent fund capitalized at least at $1 billion a year. The administration enthusiastically urged a large scale and duration. But when it came to appropriating the actual funds, neither the administration nor this Congress lived up to its earlier promises.

The Development Loan Fund has been forced to get by from year to year without enough funds to get very thoroughly underway. Practically all of its initial $700 million has been virtually committed, with a backlog of more than $1.1 billion in requests which have passed the first screening. Action is still awaited on the request for $700 million, and still other applications which meet the Development Loan Fund criteria. As a solution the administration's supplemental request for $225 million will not go very far for many projects in many countries. Neither will the $700 million and 1 more year of authorization requested in the President's budget.

It may be partisan approval for threatening to balance the budget by cutting this now hopelessly inadequate sum. There may be popular approval for standing by this meaningless figure, but it is not the responsible bipartisan solution the administration's supplemental request for $225 million. The Congress must take it. Another Congress may never have the opportunity.

Giving the Loan Fund continuity over a period of years will increase its effectiveness in a number of respects. In the first place, the leadership of the underdeveloped countries and the nations with political energies to development unless they see some prospect that the outside resources will be available over a period of years. In the second place, the Development Loan Fund has not been in a position to impose the kind of criteria of effective parallel effort by the recipient country for fear that if appropriated, the funds would be committed for a new project. If there is only one responsible course which the recipient can implement, the recipient country for fear that if appropriated, the funds would be committed for a new project. If there is only one responsible course which responsible citizens can approve, this Congress must take it. Another Congress may never have the opportunity.

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efficiency of loan administration. Finally, continuity would greatly increase the incentive effect on countries slow to mobilize their own resources by providing the example of a few successful cases of countries which have responded.

Congress must obtain a clear and comprehensive view of the functions, objectives, and decisions to be performed by the Development Loan Fund in narrowing this critical economic gap, and the amount of funds and time necessary to fulfill those missions. Congress must provide the Funds with the necessary political guarantees, an overreliance on inflexible, hard loans through the Export-Import and World Banks, with fixed dollar repayment schedules that retard rather than stimulate economic development, a lack of confidence and effort in the underdeveloped world, and a general pyramiding of overlapping, stand-alone, ineffective aid programs. The cost of wasted effort, the cost of salvage after the damage has been done, and the cost of our lost security will be more than we can afford. But the cost of not doing the first three things we can afford. It may not be cheap or easy or popular, but we cannot afford to do less.

THE CASE OF INDIA

One nation in particular stands out as the primary example of what I am urging, one nation of particular importance to the free world, and in particular need of long-term development capital. That nation is India, the second largest in Asia. I cite India today because of her special importance, representing as she does some 40 percent of the population of the uncommitted world, representing the one great counter to the ideological and economic forces of Red China, and symbolizing for all Asia the testing ground for democracy under pressure.

I cite India today because that nation today faces one of the greatest and most exciting opportunities to obtain maximum benefits from Development Loan Fund-type loans. India has moved into the stage of economic takeoff; her population, her economy, her absorptive capacity, her own efforts, and her administrative structure combine to deserve our firm commitment this year. When this body decides the future of the Development Loan Fund this year, it will also in large measure be deciding the future of India.

After the distinguished Senator from Kentucky [Mr. Cooper], and I quoted this body a year ago about our opportunities in India, the Senate accepted as a part of the Mutual Security Act our resolution recognizing this country's strategic importance, its potential for long-range economic development, and its great promise for third world stability. Although that amendment was deleted in conference, the United States has in the past year made further loans; and indicated our interest in joining Great Britain, Germany, Canada, and Japan to prevent a collapse of the Indian second 5-year plan.

But our assistance thus far has been limited to emergency aid, to meet immediate crises and existing shortages. We have not met the requirements essential for economic growth, nor have we alleviated the harsh realities which India faced a year ago. Her population continues nearly to out-pace economic development, her shortage of foreign exchange continues to be critical, her balance of payments gap, her hopes and morale continue to spread.

This is the critical year for India. This is the year when the second 5-year plan will prove to be either fruitful or futile. This is also the year when the third plan beginning in 1961 will be designed. This is the year, in short, when India must appraise her future and her relations with the rest of the world.

I do not say that India should tread water for a few more years before going under. But this is the year the Indians need confidence that they can plan major efforts for long-range progress with some hope of substantial, long-term assistance from the Western World.

More short-term credit cannot do the job. India now has large amounts of foreign exchange and private, which must be repaid in hard currency at the very time a new thrust will be needed to move into its third plan. As long as our efforts are aimed only at immediate crises, we pass over the one great opportunity to build a new bureaucratic superstructure to the Indians, to build a new bureaucratic superstructure to the Indians, to build an effective Indian Development program suspended in mid-air—bringing still closer the hour of disaster.

Congress should, of course, base its aid programs on sound criteria and productive investment. But let us remember economies need time to mature. Our own Nation, in the days of its youth, sold railroad bonds, long-term bonds, given proper assurance and assistance, the Indians, just as the final decision following such consultations must be theirs alone.

Mr. President, I am submitting, together with the distinguished Senator from Kentucky [Mr. Cooper], a concurrent resolution which expresses the interest of Congress in the creation of a free world mission which would canvass India's requirements and make recommendations to participating nations regarding joint means by which they can more effectively support India's economic development efforts. I am delighted that in the House of Representatives Representative Bowles of Connecticut and Representative Meany of New Hampshire are introducing the same resolution on a bipartisan basis.

In the meantime, it is clear that revitalizing the Development Loan Fund is the most important step we can take to assure the Indians of our readiness to stand behind effective long-range economic development. It is also the most effective step we can take to give other governments in Asia and the Middle East, those with whom we must now balance precariously, in deciding whether to channel their energies and resources around the tasks of economic growth or around military buildup and divisive conflict, new incentive and inspiration. The Development Loan Fund cannot be a magic solvent of all of India's difficulties, or those of the underdeveloped world in general. There are no quick solutions to such problems. The barriers are great. The political and ideological dilemmas are many.

But I am equally confident that this Nation can recover the initiative, that we can give to a doubting world the
realization that we, and not Russia and China, can help them achieve stability and growth. We cannot be content merely to oppose what the Kremlin may propose, nor can we pretend that the East-West conflict is the only basis for our policy. Above all, we must not resolve these difficult issues of foreign aid by mere Cold War postponement and compromise. There are times it is far better to do the right thing as a result of debate and sacrifice than the wrong thing as a testimonial to national unity. There are times when it is far better to do the right thing as a result of debate and sacrifice than the wrong thing as a testimonial to national unity.

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Mr. President, I am glad to join with my colleague and friend, the distinguished junior Senator from Massachusetts [Mr. Kennedy], in the Senate that the United States should give its support to India’s economic development, as being important to peace and to free democratic institutions in Asia.

I have spoken several times in the Senate, particularly during the debate last year on the Kennedy–Cooper resolution, on the importance of India’s economic development to the common free world and to free democratic institutions in Asia. I shall not elaborate on those remarks today, for I think the arguments are well known. I believe it has become generally agreed that if India should fail to achieve its economic goals it would be a disastrous blow to democratic governments and democratic institutions in Asia.

I know that the question is asked: Is there any reason for attaching special interest to Indian aid? Without minimizing our interest in the aims and objectives of the Indian plan, I wish to make two points which I believe have not been sufficiently emphasized or understood. These two considerations point up the fact that our economic support of India is of great importance.

First, the most important fact I can note is that the leaders of India, its government, its press, and particularly the overwhelming majority of its people have faith that democratic processes can succeed. They have faith that economic advancement can be achieved by voluntary means.
Mr. KENNEDY. Mr. President, I wonder if a quorum might be obtained before the Senator from Wyoming [Mr. McGee] speaks. I know that a number of Senators are desirous of hearing him.

The PRESIDING OFFICER. Does the Senator from Wyoming yield for that purpose?

Mr. McGEE. I yield, provided I do not lose the floor.

Mr. KENNEDY. 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. O'MAHONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. McGEE. Mr. President, when I first considered making these remarks, I considered a humble introduction which I though might be useful for launching purposes, but with the realization of my own insignificance and considerable hesitation I had chosen to take the time of the Senate today. However, I shall change that opinion, and shall say that with grim determination and in a context of almost sheer exhaustion I pursue the thought which I insist shall get on the record.

The second factor which has influenced the decision to speak today stems from the action of the electorate last November. Those of us fresh from the political wars of November 4 feel that we have brought back to this body what is not a mandate but a protest, a protest to act in certain ways in regard to the future. For that reason, I ask to be heard on the question I wish to discuss for the balance of the session.

The question I ask is this: Why did the people vote in November to send such a crop of freshmen to this body? It was not alone a matter of Republicans versus Democrats, or of the contrasting feeling of political philosophies, because sometimes those philosophies divide both between parties and within parties. It was something more. Among the people there was widespread unrest in regard to the security of the Nation; there was a declared unhappiness over the surrender of our onetime military supremacy in the world; there was deep concern over the loss of our once-unquestioned economic pace and rate of growth; there was irritation over the loss of the psychological initiative in the cold war; there was an almost sheer exhaustion over the surrender of our scientific supremacy vis-a-vis that of the Soviet Union. The importance of those considerations in the realm of international affairs was brought home to me, by the ballots cast last November.

But the people back home had a second concern which was weighing heavily on them. It was with the state of the Nation's economy, balanced budgets, red ink, and inflation. In the midst of a year in which a balanced budget had been pledged, but one which was climaxed with a promise of a deficit of more than $10 billion, the people were sorely concerned as to what might be wrong.

Finally, among the constituency in the various States there was a sense of need for breaking with the past and seeking a new path of conduct in the future. Reputable men, distinguished Members of this body, have pointed out this need which was given leaves of absence; as much because of this sense of the pressing needs of the future as for any other single consideration—because of the feeling that individuals closely identified with the past had had their day; that something new, something dynamic, was called for in what we are coming to call the nuclear age. Whether the new generation of Senators will produce is a question which only history will record, and then judge.

In making that decision, exactly what the people wished for, precisely what they expected, was not yet, I think, clear even in their own minds. It was only that they knew something was wrong, and they wanted to try a new approach. It is with those thoughts in mind that, as one of the warriors straight from the political battlefield of last November, I would bring to this body the urgency of a fresh, new look at some of the questions which bear in upon us in these times.

Consider the question of the budget itself. I do not wish to engage in a partisan wrangle in regard to budgetary matters. But there is a certain concern to all of us. When I first entered this body, scarcely 6 weeks ago, I must say, I was excited by the preamble of the remarks of the President of the United States. But the same time permit no stagnation in America.

To my mind, this is the blueprint for what we should seek to accomplish at this session and in succeeding sessions of this body.

And then we were presented with the dollar-bills which will meet the needs of the future, in order to fit into the outlines of this pattern the hope for the future which the President had sketched. In assessing what was presented to the Congress by the President, I believe it is my duty to pass judgment in terms of the needs which confront us, in their relationship to the budget aimed at meeting those needs.

If there is submitted a budget which takes into account what the leadership of the world, the demands of our high standard of living, and the growth of our economy require, it then can be said to be a budget which is agreeable to a balanced budget. But if it fails in these respects—for whatever reason—it is an inadequate budget. There are those who have used the term "political budget." I shall leave that term alone for the time being; and I shall merely suggest that our interest as Americans is not in a Republican or in a Democratic budget, but in an effective budget which will meet the needs of our country.

The President himself has set the line: the President of the United States has reminded us that in this contest with the Russians, our very security is at stake.

A former colleague of mine at the University of Chicago, Prof. Hans Morgenstern, has spoken of "the impending decline of the American Nation"; and a distinguished obstetrician, Dr. Walter Lippmann, has quoted Mr. Krushchev as warning about—to use his phrase—"the last, great years of a great America." Their meaning is all too clear—namely, that our time is running out; that our days may, indeed, be numbered.

Mr. President, I suggest to you that what this Congress is being asked to consider, the framed budget which it is being asked to fit its budget thinking, is grossly inadequate for the times in which we live. The demand confronting us is not for a balanced budget which will be inadequate; it is a demand for a totally necessary budget which we in America may be required to balance. The matter is one of facing facts, of meeting truths, and of laying those truths before our people.

We cannot lead the world, we cannot maintain the position we must maintain—namely, that of countering the threat posed by the Soviet Union—by...
proceeding on a basis of business as usual, or of even less than that. In my opinion, as a onetime historian, it is morally wrong to be labeling as a reckless spender everyone who comes up with a new idea, to attack as unnecessary alarmists those who would probe the breach in the security fences. It is as dangerous Socialist those who would improve our standard of life.

Mr. President, the times are too serious to permit the kind of name calling that has been going on in these times. The times are too critical for us to proceed with a sanguine alarmists those who would probe the state of the nation, and that we saved democracy. It has even more unpleasant connotations. But I think it is the kind of blank deal that the times call for. We must be seen, so to speak, providing for themselves capable of dealing with them. They only insist on being told the truth in order to know with what they must cope. I can still recall the plea of some people in this country in 1932 that if we were not careful, because of the crisis then existing, we would spend ourselves out of existence; that we would see for ourselves the truth behind the panic currency.

The hard truth is that it was because we told the truth, because we rose to the needs in 1932, that we saved capitalism and that we saved democracy. In those days, when it appeared the budget had run out of proportion to any reasonable balance, we were confronted by a crisis that seemed even more immanent than that. It should be noted that from the state of the United States. I remember writing letters to my Congressman, insisting on an amendment to the Federal Constitution limiting the national debt to $45 billion. I was not looking with vision and confidence into the future, because we had been selling American capitalism short. We had been keeping our productive capacity unutilized. We can put it to work in so many direct ways is to see for themselves what we produce here.

I do not mind confession, that when the President of the United States in 1939 called for 30,000 planes a year, I thought he was wrong. When another man spoke about 60 million jobs in America, I thought he was up in a cloud. But we have all lived to see those things, and more, come to pass. World War II taught us the terrific capacity of American industrial capitalism. It taught us that we ought to think carefully in the future about the full utilization of this economic potential that is ours.

And so I say, Mr. President, we can afford to, and must, whether we can afford it or not, tell the constituents back home the truth. We are wasting our time in this dillydally and dawdling about balancing figures in the budget. Let us create a budget which will create the facts by which we hope to live, and then let us meet that budget.

It is in this atmosphere that we are discussing, in this body, considerations in the national interest, on a business-as-usual basis. I say in all candor to the Senators here this afternoon that the time has come to tell the people the truth. It is still too soon for any talk about the peaceful war budget, not a peace budget; a security budget, not a play budget. We can do no less than that if we measure up to our responsibilities, not to the Democratic or Republican Parties, but to the people of this country and to all the free world.

A war budget is an unpleasant prospect. It has even more unpleasant consequences which exist abroad with regard to capitalism.

The kind of capitalism the Communists are railing against is not the new, enlightened capitalism of present-day America. It is the 19th century capitalism that has long gone by the board even years before Western Europe.

That is why I say we should put capitalism to work—the people's capitalism, as one man has rightly called it—for the kind of results being called for from this American economic emergency.

We can put it to work in so many ways. One of the most direct ways is to bring people to this country, such as have come from Europe, and particularly the Soviet Union; to bring them here by the tens of thousands. They must see for themselves what we produce here.

When I was in New York for a year on leave of absence, one of the pleasant byproducts of my pursuit was to guide dignitaries from abroad around Manhattan Island. I would always ask them, first of all, "What do you want to see, before I take you to what I think you ought to see?" The first thing they would always want to see—and it never varied—was the Statue of Liberty. "Show us your great American slums."

I would start the tour down on the lower East Side. It used to be pretty bad down there, but it is not so bad any more. I would have said, "I am sorry it looks so good." They had already dismantled the Third Avenue El, and so there was no way to show them the men lying around in its shadows. The men were out of work. I could describe how they used to be.

I always took them to Peter Stuyvesant's Village, where I would say, "This was one of the worst slums, but take a look at it now."

I would always end up in Harlem, where the Puerto Ricans and the Negroes are intermingled, and indeed we have some Negroes in that section of America. But I would always have said, "This is fine; I am sorry it looks so good."

This was not the kind of slum they had been told existed in America, where even in the slum everyone had a car.

We in this country do not intend to stop there in the raising of our standard of living, but the story illustrates how we can help overcome the misconceptions which exist abroad with regard to capitalism.

It is not without significance to note that people in the Soviet Union would stop one on the street to rub the cloth on his hands—without any other formality of introduction, a hand would drop to the ground to rub the leather in one's shoes. One did not have to say anything. In fact, it was better if one did not, because one heard all sorts of things about America that their government had never told them. They were determining the new concepts of capitalism. They have to get across to the rest of the world.

When I say we should be mobilizing our capitalism I mean that we must do...
so here at home as well. We must sell ourselves. I sometimes accuse business growth is self-destructive, but I think we must determine the strength of the American economy and with full purchasing power. If this capitalism which the Russians are bent upon destroying is indeed to triumph, I have a personal faith and confidence that it will. The problem is how to make the fiber and the capacity to meet whatever challenge is presented, but it will not do so if we follow a policy of retribution, of retirement, of operating at 50 or 60 percent of our resources. These are not the earmarks of a healthy capitalism or of an expanding economic growth.

I would suggest, second, that in addition to mobilizing capitalism, we must fight inflation and not simply talk about it. Fighting inflation is a serious undertaking, but I think that Sen. Lieberson pointed out that inflation contributed greatly to the destruction of the German Republic in 1929 and contributed to the collapse of the Republic in 1932. It can well contribute to the undoing of America. We have to fight inflation, rather than merely treat it.

There has been altogether too great a reluctance on the part of all kinds of political spokesmen to fight inflation, to treat it as an emergency crisis rather than on a business-as-usual-and-comfortable basis.

The specter of controls looms on the horizon. I do not know whether controls are required: I am not an economist. I know that we had better openly, in frank debate and clear discussion with the people, weigh the necessities of controls on our economy if we are going to destroy the dangers of inflation.

I happen to agree with Mr. Baruch and Mr. O'Mahoney, with my distinguished colleague from Wyoming [Mr. O'MAHONEY] when they say that inflation is the most serious internal problem facing us today. We must fight it, rather than tolerate it.

I want to suggest, third, that we must develop our resources. This is a proposition dear to my heart. Being a son of the West, I think America will find in the West one of her great opportunities to "beef up" our production and to "beef up" our economy to the point where it can withstand the impact of heavy military requirements year after year and withstand the increased burdens of new housing and of an enhanced standard of living in America. It is going to take long-range planning, and it is going to take long-range planning to bring this about.

The West has always been our storehouse, whether that West is Deerfield, Massachusetts, or New Mexico, or whether it is the West of Virginia; whether it is the west of the Mississippi Valley; or whether it is the Rocky Mountains and Pacific Coast, as at the present time.

We have in the West a storehouse of treasure such as this Nation has never known before. It is not a bag. It is not ready to use. But it is there. It would be the greater part of wisdom on the part of this body to insist upon "crashing" our research programs in new scientific research which would score breakthroughs as to some of the possible utilizing agents for these resources of the West, I think at one time or another they have been and are being worked out, we will make available to all areas of America vast new water resources. Water is becoming a critical resource, not only in the West but also with respect to the needs of every city in the land.

There are new lands in the West which can be brought to production. It may seem inconceivable to some to think of new production or new cultivation in a moment when surpluses are a problem, but there are wise men who are already warning us that in 10 years or 20 years unless there is a more astute approach to the problem the production will not be surpluses but will be shortages.

Mr. President, when that time comes, we in this body will not be able to pass a law to decree that we have more land so that we can fill up the surpluses. Years are required to bring a piece of land to production. Foresight and planning are needed to provide for the future.

We have great reserves of coal, of uranium, of oil shale, of means of extracting oil itself from the bowels of the earth. All of these require real breakthroughs in the realm of scientific know-how; there are problems of low-temperature carbonization.

Mr. O'MAHONEY. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. Mr. President, will the Senator yield for a question?

Mr. McGEE. I am happy to yield to my colleague from Wyoming.

Mr. O'MAHONEY. I have heard my colleague allude to the great mineral resources which remain undeveloped in this country, but I wonder if it would not be well for Senator O'Mahoney to have printed in the Record at this point, in his very excellent and eloquent address, a statement with respect to uranium development in the West. I think this is a critical subject, a matter of the Committee on Appropriations in the days of World War II, when the United States was working upon development of atomic bomb, and the United States was dependent completely upon foreign sources of supply of uranium to make the bomb. That is not the case today, is it?

Mr. O'MAHONEY. That is not the fact.

Mr. O'MAHONEY. The Senator realizes the great uranium deposits which have been discovered in New Mexico and in Wyoming, does he not?

Mr. O'MAHONEY. I am glad to hear the Senator say that, because it recalls to my mind the impact in the Soviet Union of their own statements in this material area, as evidenced by new hydroelectric development. The evidence of new heavy industrial development now is borne out in far more recent expositions such as we are now preparing in the United States, not only for the Western States but for the entire Nation.

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

Mr. O'MAHONEY. I yield.

Mr. MANSFIELD. I wish to join my distinguished colleague the senior Senator from Wyoming in commending the junior Senator from Wyoming on the remarks he made this afternoon. I am especially interested in what he has to say about the West, because, as he knows better than I, in the area we come from, namely, the northern Rocky Mountain region, our States are semiarid. Our rainfall averages between 12 and 13 inches a year.

For many years water was considered a western problem. We appreciate water more and more in the Northwest. The Senator from Wyoming has so cogently pointed out, water is no longer a western problem, but a national problem. We recall that a few years ago the reservoirs...
supplying water to New York City—I believe it is called the Croton Reservoir—almost ran dry. We know that the water supply for such a large city was being depleted, and we know that studies are being made to bring about the desalination of water so that we can increase our water supply as our industry grows and our population increases.

We know that even in our part of the country pollution of our streams is becoming quite a problem. Members of the Montana delegation in the Executive branch, of course, recognize how much greater a problem it is in their area.

Under the leadership of the distinguished senior Senator from Montana (Mr. McCarran), ably abetted and seconded by the distinguished Senators from Wyoming (Mr. O'Mahoney and Mr. McGee) there is at the present time before the Committee on Interior and Insular Affairs a resolution calling for a national water survey. In many respects it is the most important resolution before this body at this time. I hope it will pass and be acted upon.

I am delighted that the distinguished junior Senator from Wyoming is bringing out the fine points in connection with water, as well as other resources. I assure you without qualm of mind that our may not be too far distant in this country when water, as such, will be far more important than oil.

Allow me to commend and congratulate the distinguished junior Senator from Wyoming for his kind remarks, and point out to this group that to a great degree he himself has taken the initiative in the study of water resources, the kind of overall study which, in my judgment, should be extended to all the resources of the West. I am afraid we are very seriously lagging.

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

Mr. McCARRAN. I yield.

Mr. MORSE. I do not know when I have ever sat in the Senate in silence when I recognized a problem was being discussed; and so long as I remain a Member of this body I do not intend to remain silent whenever that issue is raised, because, in a very real sense, I think it is probably the most important domestic issue that has confronted the American people, and it will confront them for decades to come.

Before I supplement what my friend from Montana has said, I should like to be permitted a personal reference. We receive a great deal of satisfaction from political service. Our compensation is never at the level of the country’s gigantic forms, but that does not make it any less valuable. I am experiencing here this afternoon one of the rich compensations of public life. I would not embarrass the Senator from Wyoming further than to say that I am being very richly repaid this afternoon, as I listen to his maiden speech in the Senate, for my personal trip to his home state last fall. I compliment him for the very fine speech he is making. I think it is only the introduction to a great service in the

Senator on the part of the Senator from Wyoming.

I wish to supplement what the Senator from Montana (Mr. McNeil) said about the water problem. Water means many things. At times, as the Senator from Wyoming himself has clearly implied, water means food for generations of unborn American boys and girls. Our agricultural population experts, in testifying before congressional bodies, have pointed out to us their concern over the question of getting enough food to feed the American people, particularly in the South. My grandchildren will be here then. I do not intend, during my service in the Senate, to fail in my responsibility to them and to millions of others like them, who are the grandchildren of other Americans of my generation.

When Mikoyan, the Deputy Prime Minister of Russia, was visiting this country, and the Foreign Relations Committee had lunch with him, we asked him some interesting questions, I thought, and we elicited from him some very interesting replies.

My cross-examination of him was somewhat indirect, in that I approached, in an indirect way, the problem of Russia's economic threat to the United States. I asked him if the Russians were exporting any agricultural products. He said, "We are exporting some dairy products and some poultry products." They had not yet reached the point where they thought they could export beef or pork.

I asked him whether they contemplated an agricultural production which would make it possible for them to increase their food exportation in the relatively near future. His answer was in the affirmative. I would have this American people keep in mind that this economic threat of Russia is going to take many forms. However, when they talked about agricultural products, then I would say to the American people, "Look out," because they will then be threatening what I have always said is the greatest strength of our democracy, although we have not used it properly, because we will be faced with the problem in the year 2000 as to where we will get enough food. And we will be faced with the problem of survival and the kind of economic problem the Senator from Wyoming is talking about this afternoon, because when we talk about enlightened capitalism, we are talking about economic freedom.

Why is Russia going to be able to build up its food supply so that it will be possible for them to export food to the underdeveloped countries who are crying out for it? Because of our water table.

Every witness we have had before us, including the distinguished Senator from Wyoming, who has rendered such a great service in reporting to the people of this country on his trips to Russia, returned and told us what Russia is doing in the matter of conserving her water table and in developing her water resources, so that she will become an exporter of food. As one wins the stomachs of men in underdeveloped countries, he has a better chance of winning their minds. Therefore, I am glad that in the Senate, during his speech he has stressed the importance of the resources of the West and of the Nation, and especially the water resources problem.

Therefore, so long as I sit in the Senate, I will continue to say to the American people: Keep your eyes on the American water table, because it is falling. In so many parts of our land today, it is falling because of our shortsighted lack of statesmanship in the Government of the United States. The responsibility for that falling water table rests on the Congress of the United States and on the executive branch of the Government. For too long in the past we have not had men with sufficient vision in either Congress or in the executive to see the relationship between the level of the American water table and the future of civilization.

Civilizations fall as the water table goes down. Our water table has never been area. Mr. McFEE. I thank the Senator from Oregon for his very kind remarks and the thought-provoking content of his observations. He has pretty much put his finger on the problem. New dams do not go off like guns, and new lands do not streak through space and make headlines.

I should like to conclude my remarks very quickly with the suggestion of another facet of this subject, without developing the thought fully. We have been talking about statesmanship. We should like to invite the attention of my colleagues now to ideas and ideology. I believe that a great part of our difficulty in the world is that we do not recognize that most of the world is in the throes of revolution. That does not necessarily mean a Communist revolution. As a matter of fact, the Communist type of revolution has practically ceased. It is the kind of revolution that was triggered by us in 1776. It is an aspiration for human dignity and independence for the world as a whole. Unless we in our policy projects acknowledge not only the fact of revolution, or at least lend a sympathetic ear to these movements, we will not have the world's people with us. We all too often give the impression that we are offended by revolt and are opposed to rebels. In all truth, the best way to stop the revolution is to sweep right on, whether we like it or not.

The Russians sometimes have been smarter than we have been. While not agreeing with the revolution in China, we recognize that the Russians have been smart enough to get on it, so to speak, and ride it and use it to their own purpose.
This is our opportunity, because it is 1776, it is Tom Jefferson that triggered this moment in my mind about the world. This is an American idea, not a Russian idea. We must put it to work. The Communists have stolen what is indeed an American product. I think, therefore we must be thinking too much thinking in military and material fields in our policy projections.

That is why it is so important not only for the Senate, but for the whole American people to recognize that the Senator from Montana (Mr. Mansfield) should open up the German question, as he did, and why it is so important that the Senator from Massachusetts (Mr. Kennedy) people, although we question of economic development around the world. These are the projections to which we must turn. That is why I suggest a new willingness to explore and to get out of the static rut into which American policy has sunk of late. What the answers will be which will come out of these new explorations, or which this Senator will stand for, we cannot say. However, we must try them. We must take a look at them.

I cannot help call to mind the eloquence of my colleagues from the West as I conclude with this observation. In our western movement, which carried us across the great plains and across the Rockies to the Pacific, we now have made an economic program of the United States, bringing in Alaska and soon, we trust Hawaii. I recall, particularly, what our distinguished majority leader has said, that Wyoming has resources for 20 million people, although we question of economic development around the world. These are the projections to which we must turn. That is why I suggest a new willingness to explore and to get out of the static rut into which American policy has sunk of late. What the answers will be which will come out of these new explorations, or which this Senator will stand for, we cannot say. However, we must try them. We must take a look at them.

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The administration is still pursuing restrictive policies, saying that we cannot afford all the things which are proposed, while at the same time it promotes a policy of tight money and high interest rates which tend to prevent the expansion of the economy. If the administration has produced more and more inflation, because it has tended to restrict production and create more inflation than we have had in the past, it is wasting more money in the national budget than any other single factor.

I congratulate the Senator from Wyoming for expressing his confidence in the future of the Nation. His confidence is not misplaced. Only the right kind of leadership is required to make certain that we will meet all the challenges of modern day life. The Senate is indeed fortunate to have the Senator here to bring this message, and I hope we shall hear similar expressions from him in the future.

The junior Senator from Wyoming received a completely unprecedented committee assignment. At the time with which he was charged, the junior from Wyoming came to this body, he was informed that it took approximately 12 years for a Democratic Senator to be appointed to the Appropriations Committee. Appointed to be the year when my senior colleague was assigned to that committee.

The leadership has shown great wisdom in assigning to those who have come here as freshman Senators, with great contributions to offer, have an opportunity to give the Senate the full benefit of their abilities. Mr. McGEE. Mr. President, as always, I enjoy the exchange of views with the Senator from Louisiana. They are very stimulating.

Mr. McGEE. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER (Mr. Bartlett in the chair). Does the Senator from Wyoming yield to the Senator from Alaska?

Mr. McGEE. I yield. Mr. GRUENING. I yield. Mr. CRUZONI. I yield.

Mr. President, the bill which authorizes a comprehensive wheat stabilization program, is similar in many respects to Senator Municipal 1140, introduced by the during the 1st session of the 65th Congress, on behalf of myself and Mr. NEUMANN, Mr. MUSKIE, Mr. Case of South Dakota, Mr. CURRIS, Mr. MUSKII, Mr. CURTIS, Mr. MUSKII, Mr. CURTIS, Mr. HUMPHREY, and Mr. LANGES. The present bill is more comprehensive than my earlier bill, however, and is substantially improved in two important respects. In addition to maintaining prices and incomes for wheat producers at fair levels, Senate bill 1140 provides a definite program for reducing excessive Commodity Credit Corporation stocks of wheat and definite proposals for holding down wheatgrowers' feed-grain production. These are not simply style changes in a new 1959 model of the old bill. They are basic changes in engineering which result in a wheat price stabilization plan that deals effectively with the current excessive accumulations of wheat and feed-grain surpluses.

Mr. President, in introducing the bill, I have intended the thought that the Congress and the wheatgrowers themselves must consider changes in our present farm program dealing with wheat. This is a marketing control, not a production control, program.

The most important problem of the wheatgrower today is that of maintaining sufficient income to permit the purchase of the products of industry and labor and to replace the factor's standard of living in the face of reduced acreage and rising cost of production.

I contend, further, that lower prices for wheat are not the answer to the problem of excess supplies, either by reducing production or by noticeably increasing consumption, but will only serve to increase the marketing cost margins between the producers and the consumers.

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and improved land management programs in recent years.

Twenty years ago, wheat yields averaged only 13 bushels per planted acre. In the 1940's, yields had increased to nearly 16 bushels per planted acre; and in the early 1950's the average had moved up to 16 bushels. In 1956 and 1957, average yields were still higher—almost 20 bushels per planted acre. Then in 1958, with the weather man cooperating, the growers outdid themselves, and produced almost 25 bushels per planted acre, or 27.3 bushels per acre harvested.

This is a production record achieved by few groups in America. The wheat producers of America are entitled to high honors for this amazing performance. They are surely entitled to a price support program that assures them a fair reward for outstanding services rendered. Senate bill 1140, which I have introduced, does just this.

Mr. President, I am fully aware that the wheat producers I have cited, in combination with the outmoded price supports now in effect, have created serious surpluses and have caused domestic parity plans for wheat and the wisdom to adopt a domestic stabilization plan should be clear on this point. Wheat producers for several years have recommended giving up the present outmoded program for wheat. For at least 5 years they have been urging the adoption of domestic parity proposals as a replacement for the program which has piled up surpluses and inflated government costs.

In all seriousness, I want to say that in my judgment there would be no wheat crisis today if we had the vision and the wisdom to adopt a domestic parity program for wheat several years ago.

NINETEEN FIFTY-NINE WHEAT STABILIZATION PLAN EXPLAINED

As I said earlier, Senate bill 1140, which I have introduced, is an improved and more manageable version of earlier domestic parity plans for wheat which twice passed the House and once passed the Senate.

Those of us interested in the welfare of the wheatgrowers approached the drafting of a new bill to deal with the 1959-60 wheat situation, with the following four basic considerations in mind:

First. The new high levels of productivity must not be allowed to bankrupt the wheat-producing industry. This is a real threat in the absence of an effective program to stabilize prices and production.

Second. The buildup of Commodity Credit Corporation wheat stocks must be stopped, and they must gradually be reduced to a more manageable level.

Third. A further reduction in the acreage of wheat must not result in additional acres shifted to other crops.

Fourth. Increased yields per acre must not be reflected in increased Government outlays.

These basic considerations guided the drafting of Senate bill 1140:

It, first, sets up an annual national marketing quota of wheat equal to estimated domestic consumption plus export quota, minus 75 million bushels, which are to be withdrawn from Commodity Credit Corporation stocks.

Second. Provides for loans on wheat, within this marketing quota, at 85 percent of parity, but not more than 31,600 per farmer.

Third. Provides for income stabilization certificates for each producer equal to each farmer's percentage share of the domestic food market—in bushels—or an amount equal to 35 percent of parity, the difference between the loan level on national quota wheat and the parity price. However, each producer, to qualify for these certificates, must place in the conservation reserve an acreage equal to 20 percent, but not more than 30 percent, of his wheat acreage.

Fourth. Requires that the certificates be purchased by processors, to accompany wheat milled for domestic use, at a price equal to their face value—35 percent of parity—plus the cost of handling.

Fifth. Authorizes a defense stockpile of at least 500 million bushels of wheat, to be stored under 5-year storage contracts—at substantial savings, as compared with current rates.

Sixth. Removes restrictions on production and use of no-quota wheat, except for domestic food and for export.

The provisions of the major provisions of Senate bill 1140, while itLe it a fairly long bill, in many ways it is a simple one. It provides a fair return to wheat producers. It gives producers fuller control of their farming business. It enables producers to market only their best quality wheat for domestic use and for export.

It provides adequate current supplies of wheat for domestic use and for export at stable prices.

It facilitates orderly marketing of the highest quality wheat through regular commercial channels.

It provides an adequate defense stockpile of wheat.

It provides for an orderly reduction of current surplus wheat stocks at the rate of 75 million bushels a year.

It reduces by $400 million or more a year the estimated annual Government cost of wheat price supports.

It reduces by $500 million or more a year total Government outlays, including investment in inventories.

It provides for an increase in the conservation reserve of 12 to 14 million acres of wheatland which otherwise each year would add 5 million tons of wheat or feed grains to current excessive feed supplies.

Finally, it protects and stabilizes foreign trade in wheat, including the interests of Canada and other wheat exporting nations, through its marketing quota provisions.

Mr. President, Senate bill 1140 is not perfect. When it is studied in detail by the members of the Committee on Agriculture and Forestry—and I hope it will be so studied in the very near future—it may be possible to make improvements in the wording of some sections. I do want the Senates to know, however, that I am not one of those who consider the current wheat situation a terrible national headache. I rejoice in the great productive capacity of our wheat producers. I consider it a national asset that we can produce far more wheat than that needed for domestic food and feed. Senate bill 1140 authorizes a wheat stabilization plan which recognizes this situation and deals with it in a way which is fair and equitable to wheat producers, domestic food grain and livestock stock producers, and to producers in other exporting nations.

Mr. MORSE. Mr. President, will the Senator from Kansas yield to me?

Mr. CARLSON. Yes, Mr. President.

Mr. MORSE. Before I make comment on the observations the Senator has just made as to the value of a wheat production program in this country, I desire to pay my compliments to the Senator from Kansas [Mr. Carlson] for his leadership over the years in connection with legislation affecting the wheat problem. I have always felt that he has paid a compliment for his leadership in the whole field of agricultural problems as we are confronted with them in the Senate.

The Senator from Kansas knows that time and time again I have looked to him for advice and leadership in regard to agricultural issues as they come before the Senate, and particularly in connection with the wheat problems.

The Senator from Kansas deserves great credit, not only from the wheat producers of this country, but from all agricultural leaders, for the great work he has done in connection with agricultural problems.

He raised a point I want to reinforce, when he said, in effect, that we should not look at wheat production in this country as a national headache. I share his view. Contrary to its being a national headache, the wheat production program of this country is one of our great national assets. The difficulty is, we have not made use of our vast asset.

The Senator from Kansas, the Senator from Kentucky [Mr. Morris], and I traveled in India a year ago last December, and we had an opportunity to see the work that is being done in the field of economic foreign relations by the wheat producers of the United States.

The wheat producers of this country are setting up in India and in Japan and in some other countries what really amounts to a course of education and demonstration in those countries as to the advantages of consumption of wheat in the diet of the people living there. They have been pretty much a rice-consuming people. In India, for instance, I went into one of the institutes that is being maintained by the wheat producers of this country. I talked to Indian leaders as to the results of the demonstration. They told me, as I was later told in Japan by Japanese leaders, that the interesting thing is that once the people learn to eat wheat, they prefer it to rice. They observed the great advantage of a wheat diet, so far as the health of their people is concerned.

Here is a public service that the wheat producers have been performing. It has
I think we have a very definite wheat problem. Every farmer in the country hopes he will be able to deal with this Congress will be able to deal with it on the basis I have suggested this afternoon.

POSSIBLE OBJECTIONS TO NATIONAL WHEAT STABILIZATION

From past experience I anticipate this national wheat stabilization plan will encounter objections on three grounds. These objections, however, are based on unfounded fears.

Fears No. 1: Midwest feed-grain and livestock producers may fear that large quantities of wheat will be produced for livestock feed under the proposed wheat price stabilization program, seriously depleting feed-grain and livestock prices. However, this plan specifically provides that each producer must put at least 20 percent of his wheat base acreage in conservation reserve. This assures that an acreage of wheat or feed grains equal to 20 percent of the wheat acreage base on each farm will be retired to the conservation reserve by each producer who qualifies for full economic benefits under the new program.

Assuming high participation in the program, some 12 to 15 million acres of cropland capable of producing 5 to 8 million tons of feed grains will be retired from production. This will not solve the feed-grain problem. But it certainly will help. As compared with continuing the current program, it means 5 to 8 million fewer tons of wheat ultimately may be used for livestock feed, because there is no other use for it, and 12 to 15 million fewer tons of feed grains produced on land diverted from wheat production.

Throughout the Plains States, land devoted to feed grains produce more per acre of land than wheat when devoted to wheat even though the wheat is fed. In the Corn Belt States, feed grains produce fully one-half more pounds of feed per acre than wheat. In Washington, Oregon, and Idaho do wheat yields exceed feed-grain yields in pounds per acre. In all other States any expansion in wheat acreage, or nonmarket quota wheat under the National wheat stabilization plan, will result in an equal or greater reduction in the production of other feed grains. I shall place in the Record a statement which shows wheat and feed-grain production per acre for selected States in 1957 and 1958.

Fears No. 2: Some people fear that this program will result in an unreasonable increase in the bread wheat price. On occasion it has been referred to as a bread wheat plan in favor of wheat producers. This is a most unfair characterization of the program. The sugar program includes a small tax on sugar to make possible income stabilization payments to sugar-beet and sugarcane producers in the United States. The wool program is based on the same principle. We import woolens which increase the domestic cost of woolen textiles, and a large part of these funds are utilized to make income stabilization payments to domestic wool producers.

Fears No. 3: People ask, is it unreasonable to ask consumers to pay 3½ cents for the wheat in a loaf of bread, instead of 2½ cents as at present? Especially if by doing so we can do away with an inequitable income stabilization program for wheat producers and at the same time reduce Government costs, hence other taxes by an even greater amount. The National wheat stabilization plan utilizes precisely the same principles as the sugar and the wool price stabilization programs. All who supported those programs support this favor the wheat price stabilization program as an extension of the same principles and equity considerations to wheat producers.

Moreover the cost of the income stabilization certificates which must be paid by the millers, if fully passed on to the consumers, would be about $100 million less than the additional annual cost of continuing the present outmoded price support program for wheat.

I believe consumers are willing to pay a fair and equitable price for their food. Between 1952 and 1958 the market price for bread increased from 10.7 to 12.3 cents. In view of these facts, I think we should not hesitate to ask consumers to accept an increase in the cost of the wheat in a loaf of bread by three-fourths of 1 cent— or by 1½ to 2½ cents; especially when this increase is to replace a program which achieves more than offsetting reductions in other Government costs.

Fears No. 3: Some people fear that this program will be considered a form of export dumping by our foreign friends. However, S. 1140 specifically provides that the Secretary of Agriculture shall set a marketing quota each year which will be less than the present amount of wheat for domestic food use and for export. It provides for loans at 65 percent of parity on quota wheat. Nonquota wheat will not be eligible for export under S. 1140. Moreover, a wheat price support program will provide a small subsidy equal to the difference between 65 percent of parity and the world price level. The only difference between the anticipated exports under S. 1140 and exports at the present is the requirement of much smaller subsidy payments under S. 1140. Otherwise exports for dollars and exports under Public Law 480 will be continued on exactly the same basis as at present.

Mr. President, in closing, I wish to return to my statement that the wheat price stabilization program authorized by S. 1140 will result in an increase of $100 million more or perhaps $400 million or more a year, while maintaining wheat producers' incomes at fair and equitable levels.

The proposed price support program for wheat, the Commodity Credit Corporation has already received $1.3 billion bushels of wheat in the last 5 years, and is expected to acquire another 500 million bushels from the 1958 bumper crop.

The Commodity Stabilization Service estimates that the average storage and
interest charge on the wheat in CCC stocks is now 69 cents a bushel, which must be added to an acquisition cost of $2.50 per bushel. Hence, even though this wheat is sold for dollars, sold under Public Law 480, or under any other programs at the world market price of about 40 cents per bushel, net at shipping point, the average loss is $1.40 per bushel on all wheat acquired by the Commodity Credit Corporation.

Although, because of the lower support price, the cost of wheat acquired in 1955 and 1956 will be a little lower than in earlier years, one can expect a net loss of at least $1.25 a bushel on every bushel acquired by the Commodity Credit Corporation. Net losses will be even greater on any wheat which must be disposed of as livestock feed.

S. 1140 provides loans at only 65 percent of parity for wheat which will be used for domestic feed and for export, minus 75 million bushels which must come from CCC stocks. This assures that there will be no further borrowings against Government stocks; rather, that there will be an orderly reduction in existing stocks.

It is this feature of the national wheat stabilization program which will result in annual savings of $400 million or more a year.

Mr. President, I ask unanimous consent that a brief analysis of how the program works be printed in the Record as a part of these remarks.

There being no objection, the analysis was ordered to be printed in the Record as follows:

HOW THE PROGRAM WORKS

This is a marketing control, not a production control program.

The main features are:
1. Limits wheat marketed in commercial channels by establishing a national marketing quota.
2. Establishment of acreage controls.
3. Establishing marketing quota at less than domestic food and export requirements by 75 million bushels which would be removed annuually from CCC stocks.
4. Providing a support price to all producers only on the amount of the marketing quota which will result in an annual savings of $400 million or more a year.
5. Provides for the use of income stabilization certificates valued at 35 percent of the cost of wheat, thereby stabilizing the income of wheat producers and reducing Government stocks of wheat.
6. Restores to wheat producer control of his farming business.

WHAT IT WILL DO FOR THE AMERICAN PUBLIC

1. Prevent wheat prices from reaching disastrously low levels.
2. Insure adequate supply of high quality wheat for domestic food and export at reasonable prices.
3. Protect wheat producer by buying the products of industry and labor.
4. Insure continued ability of wheat producers to purchase the products of industry and labor.
5. Insure continued ability of wheat producers to buy the products of industry and labor.

WHAT IT WILL DO FOR THE FEED GRAIN PRODUCER

1. Prevent shifting of diverted wheat acreage to feed grains.
2. Materially reduce feed grain production.

Mr. CARLSON. Mr. President, there are many factors that enter into the savings which would result from the enactment of this wheat-stabilization program. I wish to make a statement which I believe will be of great importance to the taxpayers of this Nation.

I think it will be generally agreed that this program will save the U.S. Treasury substantial sums of money, which should be of great importance to the taxpayers of this Nation.

I ask unanimous consent that a table showing the savings in cost, prepared by the National Association of Wheat Growers, be printed in the Record as a part of these remarks.

There being no objection, the tabulation was ordered to be printed in the Record as follows:

WHEAT STABILIZATION PROGRAM

WHAT IT IS

A program designed to stabilize wheat marketing, thereby stabilizing the income of wheat producers and reducing Government stocks of wheat.

WHO DEVELOPED IT?

The National Association of Wheat Growers, recognizing the precarious position of the wheat industry, the drain on the Federal Treasury, and the continuing accumulation of wheat and feed grains in Government stocks, realized that only through reduction of these stocks will there be a foundation for stability of the domestic wheat market. The National Association of Wheat Growers has devoted substantial sums of money, which should be of great importance to the taxpayers of this Nation.

WHAT IT WILL DO FOR THE FEED GRAIN PRODUCER

1. Prevent shifting of diverted wheat acreage to feed grains.
2. Materially reduce feed grain production.

Mr. CARLSON. Mr. President, there are many factors that enter into the savings which would result from the enactment of this wheat-stabilization program. I wish to make a statement which I believe will be of great importance to the taxpayers of this Nation.

I think it will be generally agreed that this program will save the U.S. Treasury substantial sums of money, which should be of great importance to the taxpayers of this Nation.

I ask unanimous consent that a table showing the savings in cost, prepared by the National Association of Wheat Growers, be printed in the Record as a part of these remarks.

There being no objection, the tabulation was ordered to be printed in the Record as follows:

SAVINGS IN COST

It is estimated that under the present program 200 million bushels will be added to CCC stocks annually. The wheat-stabilization program provides for the reduction of CCC stocks by 10 million bushels annually. Reduced exports will be of an estimated 20 cents per bushel, and savings in storage costs on the defense stockpile of approximately 18 cents per bushel. These features will result in a reduction in Government costs of $178 million and a net decrease in CCC stocks of $610 million annually.

Mr. CARLSON. Mr. President, I ask unanimous consent to have printed as a part of the Record this table on production of wheat and feed grains.

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

Production per acre of wheat and of feed grains in pounds, selected States, 1957 and 1958

<table>
<thead>
<tr>
<th></th>
<th>1957</th>
<th>1958</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheat</td>
<td>Feed</td>
<td>Wheat</td>
</tr>
<tr>
<td></td>
<td>grains</td>
<td>grains</td>
</tr>
<tr>
<td>Pacific Coast States</td>
<td>1,220</td>
<td>2,172</td>
</tr>
<tr>
<td>Oregon</td>
<td>2,060</td>
<td>1,614</td>
</tr>
<tr>
<td>Washington</td>
<td>2,524</td>
<td>2,007</td>
</tr>
<tr>
<td>Average</td>
<td>1,901</td>
<td>1,931</td>
</tr>
<tr>
<td>Mountain States</td>
<td>1,193</td>
<td>1,157</td>
</tr>
<tr>
<td>Colorado</td>
<td>1,198</td>
<td>1,238</td>
</tr>
<tr>
<td>Montana</td>
<td>1,247</td>
<td>1,240</td>
</tr>
<tr>
<td>Average</td>
<td>1,208</td>
<td>1,256</td>
</tr>
</tbody>
</table>

1 Net reduction 75,000,000 per year.
2 CCC stocks increased 200,000,000 bushels annually.
The national marketing quota shall be in effect with respect to the marketing of wheat as provided in subsection (a). For purposes of this section, the beginning of the first marketing year for which a marketing quota and stabilization certificate program is in effect under this subtitle shall be considered to be marketing year 1952, and any subsequent marketing year or years immediately preceding the marketing year in which the apportionment is made but upon which wheat was not planted for the purpose of the wheat stabilization program may be used by the Secretary, for abnormal weather or other conditions affecting yields in any particular crop, on such farm as the Secretary determines, for the apportionment of the State quota shall be used for apportionment to farms on which wheat has been planted for the purpose of the wheat stabilization program applicable to such farm in the year immediately preceding the marketing year in which the apportionment is made but upon which wheat was not planted for the purpose of the wheat stabilization program. Such regulations provide for the distribution of the farm marketing quota among individual farms in the State on the basis of their respective shares in the wheat crop, or the proceeds thereof.

"Marketing of wheat"

"Sec. 379d. (a) For the purposes of this subtitle, wheat marketed by a producer with respect to a farm after the beginning of the first marketing year for which a marketing quota and stabilization program is in effect under this subtitle, shall be considered to be marketing wheat if the same wheat was harvested prior to the beginning of such marketing year if it is harvested during the calendar year in which such marketing year begins."

"(b) Such wheat is identified by such producer and by any subsequent seller or other person in such manner as the Secretary may by regulations provide for the distribution of the farm marketing quota among individual farms in the State on the basis of their respective shares in the wheat crop, or the proceeds thereof.

Mr. CARLSON. Mr. President, I ask unanimous consent that the text of the bill, which was read this morning, be a part of these remarks.

There being no objection, the bill of the text was ordered to be printed in the Record, as follows:

A BILL TO AMEND THE AGRICULTURAL ADJUSTMENT ACT OF 1938, as amended, and (2) by inserting after subtitle C a new subtitle D, as follows:

"SUBTITLE D—MARKETING QUOTA AND INCOME STABILIZATION PLAN FOR WHEAT"

"Legislative findings"

"Sec. 379a. Wheat, in addition to being a basic food, is one of the great export crops of American agriculture and its production and consumption for domestic and export consumption is essential to the maintenance of a sound national economy and to the general welfare.

"Wheat, in addition to being a basic food, is one of the great export crops of American agriculture and its production and competitive relationship to, that quantity of any farm, shall bear the same ratio to the national quota as a figure determined by multiplying the base acreage of wheat in such county to the corresponding figure for all of the counties in such State."

"For the purpose of this subsection, the average yield of such county shall be the average, weighted by the county base acreage, of the highest annual average yield of wheat marketed prior to the beginning of such marketing year if it is harvested during the calendar year in which such marketing year begins.

"(c) The county quota shall be apportioned by the Secretary, through the county committees, among the farms within the county on the basis of the wheat harvested during any one of the three marketing years immediately preceding the marketing year in which the apportionment is made and on the basis of average production for the 1952 and 1953 crops, and each such county shall be entitled to receive a farm marketing quota for wheat for the purpose of this subsection the base acreage of such farm by its average yield per harvested acre to a corresponding figure for all of the counties in such State."

"(b) The State marketing quota for wheat, less a reserve of not to exceed 2 per centum thereof for apportionment as provided in subsection (a) of this section, shall be apportioned by the Secretary among the counties in the State in such manner that the quota of any farm shall bear the same ratio to the State quota as a figure determined by multiplying the base acreage of such county by its average yield bears to the corresponding figure for all of the counties in such State."

"(2) Such wheat was harvested prior to the calendar year in which the first marketing year for which a marketing quota and stabilization certificate program is in effect under this subtitle, shall be considered to be marketing wheat if-"
mestic food consumption or export, shall process and no person shall freeze, export unprocessed wheat, unless such person has in his possession evidence satisfactory to the Secretary that the wheat is from an allotment of the marketing quota wheat. (3) imported wheat, (3) wheat sold by the Commodity Credit Corporation, or (4) wheat which was marketed in the continental United States or in any other country and which is available for sale in the continental United States.

"Civil penalties"

"SEC. 379l. In the first referendum, held pursuant to section 379 hereof, following the enactment of this subtitle for the purpose of determining whether farmers eligible to vote in such referendum and voting on the question favor a marketing quota and stabilization certificate program under this subtitle in lieu of marketing quotas under subtitle B hereof, the Secretary shall submit on separate ballots the question of whether such farmers favor a marketing quota and stabilization certificate program under this subtitle in lieu of marketing quotas under subtitle B hereof. If the Secretary determines that a majority of eligible farmers voting on such question favor a marketing quota and stabilization certificate program under this subtitle, the Secretary shall, prior to the end of the marketing year for which the marketing quota is proclaimed under subtitle B hereof, suspend the operation of such quota and place into a pool or pools. Certificates shall be valid to cover such sales and importations of products made during the marketing year with respect to which the certificate described in clauses (4) and (1) of section 379f hereof, for the marketing year in which such violation occurs. Such forfeiture shall be recoverable in a civil suit brought in the name of the United States.

"Adjustments in national marketing and domestic food quotas"

"SEC. 379j. If the Secretary has reason to believe that the price of wheat should be increased or suspended by an immediate investigation to be made to determine whether the increase or suspension is necessary, he may cause to be suspended the operation of such quota and place into a pool or pools. Certificates shall be valid to cover such sales and importations of products made during the marketing year with respect to which the certificate described in clauses (4) and (1) of section 379f hereof, for the marketing year in which such violation occurs. Such forfeiturer shall be recoverable in a civil suit brought in the name of the United States.

"Reports and records"

"SEC. 379k. (a) The provisions of section 379h of this title shall apply to all persons, except wheat producers, who are subject to the provisions of this subtitle, except that any such person failing to make any report or keep any record as required by this section or making any false report or record shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $2,000 for each such violation.

"Referred to"

"SEC. 379h. In the first referendum, held pursuant to section 379 hereof, following the enactment of this subtitle for the purpose of determining whether farmers eligible to vote in such referendum and voting on the question favor a marketing quota and stabilization certificate program under this subtitle in lieu of marketing quotas under subtitle B hereof, the Secretary shall submit on separate ballots the question of whether such farmers favor a marketing quota and stabilization certificate program under this subtitle in lieu of marketing quotas under subtitle B hereof. If the Secretary determines that a majority of eligible farmers voting on such question favor a marketing quota and stabilization certificate program under this subtitle, the Secretary shall, prior to the end of the marketing year for which the marketing quota is proclaimed under subtitle B hereof, suspend the operation of such quota and place into a pool or pools. Certificates shall be valid to cover such sales and importations of products made during the marketing year with respect to which the certificate described in clauses (4) and (1) of section 379f hereof, for the marketing year in which such violation occurs. Such forfeiture shall be recoverable in a civil suit brought in the name of the United States.

"Referred to"

"SEC. 379i. If the Secretary has reason to believe that the price of wheat should be increased or suspended by an immediate investigation to be made to determine whether the increase or suspension is necessary, he may cause to be suspended the operation of such quota and place into a pool or pools. Certificates shall be valid to cover such sales and importations of products made during the marketing year with respect to which the certificate described in clauses (4) and (1) of section 379f hereof, for the marketing year in which such violation occurs. Such forfeiture shall be recoverable in a civil suit brought in the name of the United States.

"Adjustments in national marketing and domestic food quotas"

"SEC. 379j. If the Secretary has reason to believe that the price of wheat should be increased or suspended by an immediate investigation to be made to determine whether the increase or suspension is necessary, he may cause to be suspended the operation of such quota and place into a pool or pools. Certificates shall be valid to cover such sales and importations of products made during the marketing year with respect to which the certificate described in clauses (4) and (1) of section 379f hereof, for the marketing year in which such violation occurs. Such forfeiture shall be recoverable in a civil suit brought in the name of the United States.

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"Referred to"

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"Adjustments in national marketing and domestic food quotas"

"SEC. 379j. If the Secretary has reason to believe that the price of wheat should be increased or suspended by an immediate investigation to be made to determine whether the increase or suspension is necessary, he may cause to be suspended the operation of such quota and place into a pool or pools. Certificates shall be valid to cover such sales and importations of products made during the marketing year with respect to which the certificate described in clauses (4) and (1) of section 379f hereof, for the marketing year in which such violation occurs. Such forfeiture shall be recoverable in a civil suit brought in the name of the United States.
do not favor such program the provisions of this subtittle shall be of no further force or effect.

The Secretary pursuant to this section shall be final and not subject to judicial review.

"Price support"

"Sec. 379m. Notwithstanding any other provisions of law

(a) Whenever a wheat marketing quota and stabilization certificate program under this subtitle is in effect, price support for wheat shall be determined in accordance with the provisions of subsection (b) of this section.

(b) The Commodity Credit Corporation is directed to make available through loans, purchases, or other operations, price support for such year.

"Security reserve for wheat"

"Sec. 379n. (a) The Secretary is authorized and directed to establish a security reserve for wheat, and to transfer to such security reserve 500,000,000 bushels of wheat owned by the Commodity Credit Corporation. Wheat placed in such reserve shall remain the property of the Commodity Credit Corporation, and, except for rotation to prevent spoilage, shall not be removed from such reserve except in case of a national emergency proclaimed by the President.

(b) The Commodity Credit Corporation shall enter into contracts for the storage of wheat placed in the reserve established by this Act for such periods of time and on such terms as will result in the most economical cost. Such contracts shall be awarded on a basis which will provide adequate compensation for the rotation of stocks to prevent spoilage and for such purpose shall contain a schedule of premiums and discounts for differences in quality.

"Sec. 379o. The provisions of sections 361 to 363, inclusive, shall apply to farm marketing quotas of such producers for such year.

CYPRESS TREATY

Mr. ALLOTT. Mr. President, I have just learned that our Greek, Turkish, and British friends have signed a treaty with respect to Cyprus. I am not yet familiar with all the details, but apparently everyone is quite optimistic that a solution satisfactory to all interests has been developed.

CYPRESS TREATY

Mr. ALLOTT. Mr. President, I now desire to turn to another subject.

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

LEADVILLE, COLO.: AN ALL AMERICA CITY

Mr. ALLOTT. Mr. President, as noted recently, the National Municipal League now has named its 10th group of All America cities. The jurors selecting these blue ribbon communities look not so much for model towns, but for progress and improvement based on alert, continuing citizen participation. Leadville is one of these new All America Cities is Leadville, Colo. Only a few years ago, this was a dying mining camp. Many of the people felt Leadville was doomed to them and themselves. They were about to become a part of one of the Nation's largest ghost towns. Then they began to wake up. They realized their destiny was in their own hands. The revitalization is in the spirit of the men and women who made the first Leadville. The present generation will, I feel sure, build an even greater city.

I ask that portions of the story of the honor as it was published in the Herald Democrat of Leadville be read as an inspiration for all community planners. The honor was given the community at the 80th anniversary of the beginning of a new era for Leadville. The city and county commissioners, city officials and organizations, the wheels of progress were again underway and donations from all clubs and organizations campaigned through the press and radio in conjunction with the local PTA. Another important factor in the success of the program has received State and National recognition. The city and county commissioners passed in 1952 for a year-round program. The recreation program has received State and National recognition and through the efforts of the Lake County Recreation Board, county commissioners, city officials and organizations, the wheels of progress were once again rolling.

The "Recreation in a mining camp" was not unheard of in Leadville. Action again began to speak louder than words now that the bubble burst and the city was again underway and donations from all clubs and organizations were once again rolling. This group demanded an adequate recreation program and facilities and, in 1953, Leadville was the first small city in the State of Colorado to hire a full-time director of recreation and establish a year-round program. The recreation program has received State and National recognition. The city and county commissioners again passed in 1952 for a year-round program and these funds were used mainly for salaries, program, and some facilities. But to the men and women who made this program a reality were also skating rink which is larger than a football field under lights, tennis courts and basquetball court, a lighted softball field with bleachers, a Little League stadium, kids fishing pond, a park with picnic tables and modern playground equipment. Plans are now on the drawing board for a new field house.
ready to depart from this historical mining camp after serving the community faithfully for 115 years. Ferkovich, local contractor, dedicated a $1 million building to the city, and all denominations were called upon to participate. Come see tours were conducted and the general public was attended. The new hospital is a monument to these people. The lay advisory board, which is very active in the city, consists of members from all walks of life in the community. The members of this board are: Thomas Fahey, former superintendent of the American Metals Climax Co.; Frank Coolbaugh, vice president of western operations of the American Metals Climax Co.; George Mitchell, union representative; Mrs. Win. Rose, housewife; Mrs. Mary C. Kiss, former member of the American Metals Climax Co.; Robert Nelson, local theater manager; Adolph Kuss, former mayor; Taylor Brown, former mayor; and all denominations were called upon to participate.

Mr. ALLOTT. Mr. President, the vibrant leadership and straightforward actions of our former colleague, Secretary of the Interior Fred A. Seaton, have earned him the respect of Members on both sides of the aisle, including his constituents in the state of Colorado. President Eisenhower to sign the Anderson-Udall Navaho roads bill through Congress last year, two powerful Democratic gains were made also at the 1960 election. The 1960 budget for upper Colorado was a key factor in the huge GOP reverses in the upper basin States in the 1960 election. The GOP control of Congress has partially achieved the program's goals to date, building more dams, and to help solve the irrigation projects in Utah, Wyoming, and Colorado. The congressional indignation and outcry which resulted was immediate and basinwide. Congressmen and Senators were aware of the situation at the level of the administration.

Mr. ALLOTT. Mr. President, I have not mentioned in this discussion the Navajo and Four Corners States like the GOP new look fashioned by Seaton. The area is trying to develop a new look fashioned by Seaton. The area is trying to develop on the model of the new look fashioned by Seaton. The area is trying to develop on the model of the new look fashioned by Seaton.
PROPOSED LABOR LEGISLATION

Mr. ALLOTT. Mr. President, with respect to the several labor bills recently introduced and now being considered by the Senate Committee on Labor and Public Welfare, I think an editorial printed by the Pueblo Star-Journal and Chieftain, Friday, December 5, 1958, is quite illuminating.

It illustrates that there is across this country an increasing awareness of the kind of legislation which will be required to protect the labor movement from the outrages discovered by the McClellan Committee and its predecessors. Because it was written before labor bills were introduced in this Congress, its references are to the House of 1957-58 and are not applicable to the Senate bills. 

PROPOSED CIVIL RIGHTS LEGISLATION

Mr. ALLOTT. Mr. President, in connection with Senate bills 435, 456, and 810, to enforce and insure the constitutional right to equal protection of the laws, which were introduced recently by Mr. Lawrence E. Fraley, Jr., of Boulder, Colorado, and for which I am a cosponsor, I ask unanimous consent to have printed in the body of the Record a letter received from Mr. Lawrence E. Fraley, Jr., of Boulder, Colorado.

Senators will note that Mr. Fraley was not always a resident of our fine State, and as a matter of fact was born and raised in the South, where he obtained the background of the great problems facing those whose civil rights have been abused. Because of the simplicity and sensitivity with which my constituent states the challenge facing the Congress on behalf of the free world, I ask that all my colleagues, be they from East, West, North, or South, read this letter.

I believe that a wide reading of Mr. Fraley's thoughts would help to loosen the shackles of false issues that have come to surround the burning question of individual rights, and would move us toward a truer knowledge and realization of the principles for which this great country stands.

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

[From the Pueblo (Colo.) Star-Journal, Dec. 5, 1958]

WILL THE NEXT CONGRESS PRODUCE GOOD LABOR LEGISLATION?

If what happened in the closing weeks of the 85th Congress is any indication of what may be attempted in the 86th Congress concerning amendments to the Taft-Hartley Act, then few people have much hope that the labor scene as revealed by the Senate McClellan Rackets Committee last year will change.

The Kennedy-Treas bill passed the Senate in spite of acknowledged weaknesses and shortcomings. But it was hoped that House hearings would produce strengthening amendments. The bill laid on the desk of the Speaker of the House when before it was referred to the Committee on Education and Labor and this made it too late for hearings. A last minute effort to get the bill to the floor failed to get a majority of the House Members so the bill died.

During the political campaign, much was made over the fact that the Kennedy-Treas bill did not receive support of some House Members. It was claimed that it was a start toward progressive and constructive labor legislation. But a critical examination of its provisions was what made the House refuse to even consider the bill on the floor. It was to eliminate some of the undesirable consequences of the law.

Examples of its weaknesses are the following: Under the title "Reporting and Disclosure" practically the same reports as are now being made by most unions to the Secretary of Labor under the Taft-Hartley Act would be required, with the chief difference being that the Secretary would be empowered to investigate and invoke Federal criminal penalties for willful violations. However, the Department of Labor stated that the bill would virtually impossible, inasmuch as the majority of local unions would be exempt from financial reporting. Consequently the provisions would be ineffective in preventing skullduggery in financial affairs.
Some international unions have trustee-ship provisions which mean that the na- tional officers run the local unions. This has been one of the great abuses in several unions. Wherever changes in the law made the procedure more cumbersome. One of the basic rights under common law was not to be unreasonably restrained. The common law would have permitted local unions or their members to sue in State courts to have illegal or improperly imposed and operated.

Much has been made of the need for secret ballots in elections of union officers, as if those votes were for strikers! If there is an intent to operate the union regard- less of the wishes of the members, secret ballots are not necessary and other means are meaningless unless the electoral ma- chinery and the counting of the ballots are uncontrolled and untried. No such safeguards were provided in the Kennedy-Ives bill.

The Committee on Unusual Practices were sup- posed to take care of all of the gangsterism that had been revealed by the McClellan committee. But the most naive know that crooked union officers, their agents in the movement, and among employers, would never be deterred by voluntary Codes of Ethics. The Kennedy-Ives bill was not a provision provided in the Kennedy-Ives bill to cope with this situation.

Other than the fact that the National Labor Relations Act would have increased still fur- ther the uncontrolled power in the hands of union leadership, rather than curbing it or putting it under restrictions so far as mem- bers are concerned. The abuses of the type revealed by the McClellan committee would never have been solved by the provisions of the Kennedy-Ives bill.

It is important to know what the Kennedy-Ives bill failed to do. It failed to deal with the problem of violence, intimidation, and coercion practiced against union members and their families, employers, and the general public by ruthless union leadership. It failed to deal with the problem of the secondary boycott whereby the customers and suppliers of an employer are picketed and harassed in order to put pressure on him to sign up and herd his employees into a union against their will, or to succumb to certain provisions in union contracts.

It failed to deal with the problem of union monopoly power whereby national unions use their labor contract power in various industries and be in a position to dictate terms and conditions of settlement to other industries. Such industry regulations of their competitive situation or financial condition.

It failed to deal with the problem of the use of union funds and manpower for parti- san political activities, even though many of the members to whom such funds belong were not in sympathy with either the candi- dates or the policies advocated by union of- ficials.

Unions became more directly involved in the operation of one political party in the 1958 campaign than ever before in the his- tory of the country. Under the new rules revealed by the McClellan committee is compulsory union membership. Union leaders are permitted to force union officers to work under the mandates of the rules that they have been compelling to operate. They, in tur, permit them to operate the unions as their own private property. Unless there are provisions for union officers to make all sources of income public, and offset the power of compulsory union membership, Federal legislation is meaning- less.

Will the 86th Congress do something about these conditions?

A DECLARATION OF INDEPENDENCE FROM FEDERAL DEPENDENCE

Mr. CURTIS. Mr. President, in these dark days when disputes are pictured as a virtue, we observe some things which are encouraging in spite of those trends which I contend are in error. We see all around us individuals who believe that the time has come to reassert the power of the American people over the Government of the United States and that the only place from which solutions can come is the Gov- ernment of the United States, but there are also other people and communities which believe in themselves. They believe in the ability and responsi- bility of individual citizens, and they still believe in the responsibility of local com- munities.

Exactly such a movement got under­ way at Fremont, Neb., in recent days. Four citizens fathered the idea. They were Dr. William Zimmerman, Mr. Ham­ ilton F. Mitten, Mr. Eugene Buch, Paul R. Todd, Edward A. Jaksha, and many others.

The last signature on the document is the signature of the famous person who read our early documents—Mr. Curtis.

This week three citizens from Fremont—Mr. Howard W. Shinnrock, Mr. David Milten, and Mr. Edward Jaksha—journeyed to Washington and pre- sented this “Declaration of Independ- ence from Federal Dependence” to many of Washington’s outstanding citi- zens and personalities in Government, including the distinguished Vice Presi- dent of the United States.

Whenever any of our citizens, relying upon their own initiative and their de- sire to act self-sufficiently, oppose the Federal Government not so large, there are always those who dislike that philosophy and dislike having it pro- jected.

I wish to say, Mr. President, that the citizens of Fremont to whom I have re- ferred have rendered a distinct service to themselves, to their community, and to their Nation. It is my opinion that those who have not come from their efforts is that it will help to slow down and stop the trend toward a larger Federal Government.

Occasionally when serious minded citizens protest spending programs going on at the Federal level, they are dis- couraged by the spenders. An attempt is made to have such economizers state what existing Federal programs they would repeal. Such questions, how- ever, beg the issue. The real battle facing the Congress at this time is over an effort to start new programs. It per- tains to efforts to inject the Federal Government into new fields which have heretofore been handled by the States and localities, or by the citizens them- selves.

The time to battle for economy is when the issue is called on legislation authoriz- ing new programs. Such votes are at hand, and the votes that the battle lines are drawn in the 86th Congress. They involve housing, airports, Federal aid to education, and many other issues.

Again I commend these stalwart citi- zens of Fremont, Neb., on their “Dec- laration of Independence from Federal Dependence.”

Someone may ask, “Has this com- promise been tried before? I wish to know what it has produced?” It has. I hold in my hand a news ac- count which appeared in the Omaha World Herald of Sunday, February 15, 1959. Four recent instances are set down at Fremont, Neb., has turned down Federal aid which it was asked to take. I wish to mention them.
_FEDERAL FUNDS totaling nearly 250 thousand dollars were available for airport modernization. But that meant Federal control, the razing of houses nearby, the closing of a street, and the loss of trees. The town fathers did the needful remodeling at a cost of nine thousand dollars. The Fremont Chamber of Commerce, facing Broad Street, which pierces the heart of downtown Fremont. To be eligible, the Government said, curbside parking would be banned, and the street would be gated, found that one siren priced at eight thousand dollars would work nicely and blew the whistle on Uncle Sam._

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**FREMONTERS DECLARING THEIR INDEPENDENCE**

**Shades of 78.** The Fremont Chamber of Commerce has drafted a declaration of independence from Federal control—and apparently, the members mean it.

Not only are the Fremonters asking for signatures on the petitions, but they're raising money to send their number to Washington, D.C., to present the petitions to the Nebraska congressional delegation.

These petitions make some brave state­ments, with hidden and open plainly sight, "We believe the present trend in political thinking and fiscal policy will ultimately destroy all our free institutions and the savings of our people and our children, and further we believe this same trend in political thinking will curtail and limit the real care of our children and ultimately leave them economically destitute, politically enslaved and defenseless."

Federal aid, the petition also points out, is only a portion of your tax dollar being returned to you—after the cost of overhead has been squandered.

The Federal Government can do nothing for the citizen as cheaply as he can do it himself. And rightfully, the Fremonters point out the Federal Government can do nothing for you until you give your cash to Washington, or permit your congressional representatives to use it.

The Federal aid money with which the interstate Highway is to be built, for example, is not used to counter the Federal gasoline tax, a field in which the States used to have exclusive tax authority.

There are hundreds of examples of taxation, with hidden and open plainly sight, where the Federal Government first imposed the tax as an emergency measure—but in this case "cradle to the grave" policy of caring for one and all, the emergency just never ends.

The Fremonters are a small voice crying in the wilderness, but we can appreciate their point of view, and offer them encouragement.

America didn't become the world's leading power by coddling its people or taxing its citizens to the full extent of their ability to render the national debt to nearly $300 billion.

Destry the citizen's desire to provide for himself and his family, and we shall meet the Russians on common ground—socialism."

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**ADJOURNMENT TO MONDAY**

Mr. MORSE, Mr. President, as a further mark of respect to the memory of the late distinguished Representative from New York, DANIEL A. REED, I move that the Senate adjourn until Monday, February 23, 1959, at 12 o'clock meridian.

The motion was unanimously agreed to; and (at 6 o'clock and 37 minutes p.m.) the Senate, as a further mark of respect to the memory of the late Representative Reed, adjourned, the adjournment being, under the order previously entered, until Monday, February 25, 1959, at 12 o'clock meridian.

**ANNIVERSARY OF UKRAINIAN INDEPENDENCE**

Mr. CURTIS. Mr. President, there are those who contend that we can serve our country by working and dreaming and fighting for greater defense and greater security. I ask the question, Had that been the program throughout the past, where would our Nation be today? It has been built by individuals who have said, "What can we do for our country?" rather than "What can our country do for us?"

**NOMINATIONS**

Executive nominations received by the Senate February 19, 1959:

**DEPARTMENT OF STATE**

James W. Riddleberger, of Virginia, to be Director of the Intergovernmental Cooperation Administration, in the Department of State, vice James H. Smith, Jr., resigned.

**DEPARTMENT OF COMMERCE**

Robert J. Dodds, of Pennsylvania, to be General Counsel of the Department of Commerce.
The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TRANSFER OF SPECIAL ORDERS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that Members having special orders for today may, if they desire, transfer them to Tuesday of next week.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, reserving the right to object, and of course, I shall not, I wonder if the gentleman advise us at this time what the program may be for next week.

Mr. McCORMACK. I shall be very happy to.

On Monday there will be the reading of Washington's Farewell Address.

Tuesday there will be some resolutions coming out of the Committee on House Administration. I do not expect any contest but should it develop that a roll call was asked on any of them, the roll call of course, because of an election in Illinois, would go on until Wednesday, if that is agreeable to the gentleman from Indiana (Mr. HALLECK).

Mr. McCORMACK. It is.

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Yes. As I say, there may be a rule reported on a bill, but outside of matters from the Committee on House Administration on Tuesday I cannot see anything. However, I do not want to tie myself absolutely to that at this time.

The SPEAKER. I ask unanimous consent to the request of the gentleman from Massachusetts?

There was no objection.

THE LATE DANIEL A. REED

Mr. TABER. Mr. Speaker, it is my sad duty to announce to the House the death of DANIEL A. REED, who represented the 43d District of New York for the past 42 years.

Mr. REED was a fine character, one of the finest I have ever known, one of the most loyal to his friends, one of the hardest workers; a man who took care of every responsibility that was his with reference to his district and to his work here in the House. I have never known a more devoted public servant.

To his widow and to his family I extend my sincerest sympathy.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. MARTIN. Mr. Speaker, this is a particularly sad moment for me because today through the medium of this American, whose friendship and comradeship I have enjoyed in the 35 years I have been a Member of the House of Representatives.

This death of DAN REED the country, the Congress, indeed all of us, have suffered a severe loss. Mr. REED was an expert on taxes and tariffs, and he gave a lifelong dedicated service to his country in those matters as well as his many other legislative activities. I recall in his early days he was a valiant champion of many educational causes.

For many years his name is associated with the legislation that has passed through the Committee on Ways and Means, of which Mr. REED was once the honored chairman, have borne the imprint of his great knowledge.

Chairmen have always sought and obtained information from the well of his long experience. He was a man of unusually high character and he possessed, above all, the courage of his convictions.

Mr. REED liked to listen to the troubles of all freshmen and give all a helping hand. He wanted to make service here a little easier and a little better for America.

Only last Friday I visited him at his home in the Bronx. He was pacing with the necessity of undergoing a very serious operation, he did not quiver. He was determined to go on with it, and expressed the hope that shortly he might be able to resume the congressional work which was so important and dear to him.

Mr. REED was what I might well term one of God's noblemen. Not a particle of malice did he bear to anyone. He loved people. He loved his country. He entered his task here in the halls of the Congress with but a single purpose: the preservation of the ideals and fundamental principles of American life.