

racry 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 threatened. Today the non-self-governing areas cannot be told to wait 300 years for freedom to come to them. Many demand it now. Others will soon add their voices to the call for liberty. But we know, too, that democracy will probably not work unless the people can receive some training in the democratic process before they become completely self-governing. Thus, democracy today faces a difficult and deeply trying period and, I trust, we parliamentarians have a like and equal and similar understanding of the definition and meaning of the word "democracy."

After all, the representative assembly is one of the most important devices available in trying to solve this seemingly impossible problem of how to create as it were, "instant democracy." The representative assembly provides an opportunity to give the people of the territory experience in the elective process, in enacting laws and administering the nation without giving them full responsibility and power all at once. As it becomes apparent that each new grant of power is used responsibly, the governing nation should increase the powers of the representative assembly and thus gradually bring the territory to self-determination by peaceful means.

May I here insert my complete, unqualified endorsement of the proposed amendment of my colleague, Mr. FEIGHAN, of the United States, who cites his concern and vigorously protests the deprivation of once free, independent nations which successfully attained complete freedom, and have been reduced to the status of non-self-governing nations by a new colonialism or imperialism.

Now for my examples: The Philippine Islands became independent in 1946 by the mutual consent of the Filipinos and the Americans after a lengthy process in which more and more power was gradually extended to a representative Filipino assembly. Today the Philippines are a republic with a working democracy, and have an outstanding delegation here in Rio. They also maintain a close and friendly relationship with the United States. On the other hand Puerto Rico rejected independence from the United States and chose to become a commonwealth in 1952. Puerto Rico has the same autonomy in local affairs as one of the United States and its citizens are also United States citizens, but it neither contributes much to the Treasury of the United States, nor has voting representation in our Congress. The Puerto Ricans are free to change their status and apply either for full statehood in the United States, or to become completely independent. Finally, I would point out that Alaska has just been made our 49th State and the people of Hawaii are also seeking statehood rather than independence. I cite these examples, my fellow delegates, to

demonstrate that the development of representative assemblies in non-self-governing territories does not necessarily lead to the independence of the territory or become a device for the expression of hatred toward the governing power if a territory does choose independence. Much depends on the character of the past relationship between the territory and the governing power and the compatibility of their interests.

The United States is even beginning the processes of self-government on the 2,000 scattered islands of Micronesia in the South Pacific, which we hold under a U.N. trusteeship agreement. Thus far we have given the islanders a sense of unity that they have never experienced previously. The natives of the more than 1,000 Marshall Islands govern themselves under American guidance by a system of elected officials and a two-house congress, with the upper chamber consisting of hereditary nobles. A constitution is now being drafted for the Ponape district of the Caroline Islands and these same things are taking place for the first time elsewhere in Micronesia which has known only rule by foreign powers for hundreds of years. The goal of the United States is an independent Micronesian federation. I might add that the United States has even permitted the natives of Okinawa and the Bonin Islands to assume a significant degree of local self-government even though these are strategic trusts which we hold 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 United States feels to be one of the central truths of our time. The peoples of the non-self-governing territories are demanding self-determination in ever-increasing numbers today and if they are to develop as democracies rather than as totalitarian governments, the Western nations must speed up the process of laying the basis for democracy including the development of responsible representative assemblies. Encouragement from the Interparliamentary Union could play a significant part in increasing the number of such assemblies. I hope this will be one result of our meeting here this year.

And, Mr. President, permit me to take this opportunity to express my deep appreciation for the courtesies, for the warmth, and genuine reception by our Brazilian hosts. For me and mine I say—Muito obrigado, caros vizinhos.

Farewell remarks by Hon. Homer Ferguson, United States of America

HON. HOMER FERGUSON, United States of America. Mr. President, I would like to say a few words to the delegates before I am compelled to leave. Our delegation is required to return to the States because Congress is in session and important matters are on. May I have the permission of the chairman and the delegates to say a few words.

The CHAIRMAN. Yes.

Mr. FERGUSON. Mr. President, fellow delegates, and friends, I first want to thank the delegates and the Interparliamentary Union for the fact that they have named me as an honorary member of this organization. I spent many years while in the Senate of the United States as a delegate to these meetings and I valued that privilege highly. I met my old friends here again and, being greatly interested in foreign policy, it is a great honor for me to be an honorary member of this organization; and may I compliment the Secretary General on his marvelous report to the delegates.

As we depart from this famous and fabulous city, this happy and historic land, we want to voice our great appreciation of the wonderful hospitality of our Brazilian hosts. I know you all agree with me as delegates that nothing has been left undone to minister to our pleasure and to our comfort. We are deeply grateful to everyone who has been responsible for the arrangements of the facilities for this Conference. The reception last evening at the Yacht Club was to all of us the brilliant climax to our visit. We shall always remember this hospitality.

The discussion and the debates of the 47th Conference have revealed, I think, a wide consensus of agreement among the delegates of all nations regarding the matters of expanding capital investments abroad under appropriate conditions, the need of strengthening and implementing the peace of the world, the value of cultural exchanges between nations and the acquisition and defense of freedom of information, as well as the importance of pushing ahead with the development of representative political institutions in the non-self-governing territories.

This Conference also has demonstrated by its own performance its belief in the essential role of the legislature in the conduct of public affairs, whose high function in our respective countries is, I believe further, to make the laws, and to make them by elected representatives of the people who are to be governed by those laws, to watch and control the conduct of elected executive officials and, as far as humanly possible, to represent and carry out the will of their constituents.

Mr. President, we think that one of the principal values of this Conference has been the opportunity we have had for forming closer person-to-person contacts between the lawmakers from many lands. We find that differences of language, culture, and political institutions are overshadowed by our basic common needs and aspirations. Above all, in our opinion, we have the humanity question, we have to consider the souls and aspirations of our people. And so, Mr. President, I know we are going to return to our respective homes with hearts full of gratitude to the Government and the people of Brazil, with deep understanding of each other's problems and viewpoints and with renewed faith in the value of representative government in the world today.

May I wish you all Godspeed in your return to your respective homes.

SENATE

THURSDAY, FEBRUARY 19, 1959

Rabbi Morris Silverman, Emanuel Synagogue, Hartford, Conn., offered the following prayer:

Father of all men and all nations, we thank Thee that through the goodly heritage of freedom we enjoy, our lives are fallen in pleasant places. We pray that we may ever uphold the principle enunciated by George Washington, the Father of our Country: "Happily this Government can give to bigotry no sanction and

to persecution no assistance." May we ever hold with him that, "Of all the dispositions and habits which lead to political prosperity, religion, and morality are indispensable supports."

Open our eyes to understand that the greatness of our country lies not only in our material achievements, economic prosperity, industrial expansion, and raising the standards of living, but also in the spiritual advance we make in the justice, harmony, and good will that prevail among us and in the equality of opportunity, offered alike to all our inhabitants, to live in dignity and free-

dom as becometh children created in Thine image.

Give us courage equal to our responsibilities, and wisdom equal to our strength. Grant that our strength be revealed not only in guided missiles, but in guided leaders, men and women with big hearts and strong minds and broad vision, leaders who will be guided by truth, righteousness, and justice tempered with mercy, to labor for the well-being of all our people.

Bless the President of these United States, the Vice President, the Members of the Senate and the House of Representatives, and all who exercise

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 leaders and the leaders of all nations, that they may remove the fears, misunderstandings and suspicions, the envy, bigotry, and greed which culminate in 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.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, 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, 79th 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.

HOUSE BILL REFERRED

The bill (H.R. 4245) relating to the taxation of the income of life insurance companies was read twice by its title and referred to the Committee on Finance.

TRANSACTION OF ROUTINE BUSINESS

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

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

COMMITTEE MEETING DURING SESSION OF THE SENATE

Mr. STENNIS. Mr. President, I ask unanimous consent that the Authorization Subcommittee of the Committee on Aeronautical and Space Sciences 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 the consideration of 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.

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, 1962, and until his successor has been appointed and qualified.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. STENNIS. Mr. President, many times nominations of outstanding men like Dr. Murphy, who serve in Government at considerable sacrifice, are approved in the Senate without any comment on the floor. I have the privilege of knowing Dr. Murphy, having served with him in a limited capacity on a commission. I do not know when I have been more favorably impressed with anyone than I have been with the capacity and ability of Dr. Murphy. It was a great pleasure for me to serve with him on the commission. I am glad the Senate has confirmed his nomination.

Mr. CARLSON. Mr. President, I appreciate what the Senator from Mississippi has said about the confirmation of the nomination of Dr. Franklin D. Murphy, chancellor of Kansas University. As the Senator has stated, Dr. Murphy is an outstanding educator, a great American, and a great citizen. We are fortunate to get the services of men of

that type in this and other positions of the Federal Government.

Mr. STENNIS. I thank the Senator. Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

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

LEGISLATIVE SESSION

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

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

ORDER FOR ADJOURNMENT TO MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn to meet at 12 o'clock noon on Monday next.

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

TRIBUTES TO SENATOR CARL HAYDEN

Mr. GOLDWATER. 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 often supported this outstanding Democrat. 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 there in 1877. He 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-

ticipant 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 personally my high admiration for him.

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

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

The PRESIDENT pro tempore. In morning business the Chair will recognize the Senator from Rhode Island [Mr. PASTORE].

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

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I take this opportunity to associate myself, the senior 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 what the distinguished junior 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 law man 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. DIRKSEN. Mr. President, will the Senator yield?

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

The PRESIDENT pro tempore. 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 join in a little applause?

(Applause, Senators rising.)

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. GOLDWATER. 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. DIRKSEN. Mr. President, I ask unanimous consent that the Senator from Arizona may have additional time in which to yield to other Senators who wish to pay their respects to the distinguished occupant of the chair.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. Mr. President, I yield to my friend the Senator from Illinois.

Mr. DIRKSEN. 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 with even greater delight and 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 chairmen in the House and Senate over the past 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 committee. I bear testimony to 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 coterminally 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. GOLDWATER. 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. GRUENING and Mr. BARTLETT, both of who 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, on the Interior Department Subcommittee 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. Frequently Senator HAYDEN and I must confer 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.

I have known that he was 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 maintains order and decorum, not only in our subcommittee, but in the full Committee on Appropriations, of which he is our 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 or the Senate from 1912 to 1959, 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, has had constantly in the National Legislature a man who came into the Congress when his State entered the Union.

Many of the great powers of the world are older than the United States in terms of years of existence. However, ours 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 articles of incorporation, the same 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. GOLDWATER. 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 paying a more than well deserved 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 most 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

law is just; and the Senator from Arizona has exemplified that type of justice.

Personally, I wish to thank him for the many kindnesses and courtesies he has extended not only to me, but to others, in our personal relationships in this body. What is even more significant is the poise, the statesmanship, and the quality of his leadership which is manifested in his many activities in the Senate.

Senator HAYDEN is 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 Senator 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 legislative matter, there is one Senator I would consult, and that is CARL HAYDEN, of Arizona."

I think that precisely and pithily expresses the esteem, appreciation, and high regard which Members of this august body have for our distinguished colleague from the great State of Arizona.

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 from Arizona. I join my colleague the junior Senator from Arizona [Mr. GOLDWATER] in wishing CARL HAYDEN many more years of good health and service to the people of his country through his tenure of office in the U.S. Senate.

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

Mr. GOLDWATER. I yield.

Mr. GRUENING. I consider myself fortunate in being able to associate myself with the remarks of the distinguished junior Senator from Arizona. Representing the youngest and newest State of the Union, it is a pleasure to record that for many years the Alaskans' aspiration to statehood has enjoyed the support and sympathy of the senior Senator from Arizona, that great representative of the last State to be admitted to the Union previous to the admission of Alaska. He lived there when it was still a Territory and never forgot the handicaps of territorialism.

During the many years when some of us working for statehood were down here in Washington promoting what at times seemed to be a remote and not too promising a cause, we always found CARL HAYDEN sympathetic. Six or seven years ago when I was speaking with him on the subject of statehood for Alaska, he said, humorously, "We can't let you in. We have no room for you."

I said, "Can't you do something about that?"

He said, "Certainly; we can build a new Senate Office Building."

He went ahead and did it. At least we know that he played an important part in it. So we Alaskans are ex-

trremely grateful for his sympathetic interest in our cause, a sympathy expressed not merely by word but by deed.

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

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 on that committee with 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 senior Senator from Arizona, and therefore can better appreciate what his predecessor meant when he said, "If the Constitution should ever permit Virginia to have three Senators, I hope 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, even though I was born in the State of Oregon, I find that CARL HAYDEN knows more about our State than I do.

I believe that speaks more than anything else that can be said about the wisdom, knowledge, diligence and statesmanship of CARL HAYDEN.

Mr. CAPEHART. Mr. President, I wish to join my colleague in praising CARL HAYDEN. I have been a great admirer of his for the 15 years I have served in the Senate. I admire many things about him, but the two things I admire most are his modesty, and the fact that he talks so little on the floor of the Senate.

Mr. McNAMARA. Mr. President, I wish also to join in the tributes paid to the senior Senator from Arizona [Mr. HAYDEN]. He is truly a great American and I wish him well on the start of his 48th year in the Congress. My heartiest congratulations.

EXECUTIVE COMMUNICATIONS, ETC.

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

COMPENSATION OF GENERAL COUNSEL OF DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to fix the compensation of the General

Counsel of the Department of Commerce (with accompanying papers); to the Committee on Post Office and Civil Service.

AMENDMENT OF SECTION 502 OF GENERAL BRIDGE ACT OF 1946

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 502 of the General Bridge Act of 1946, and for other purposes (with accompanying papers); to the Committee on Public Works.

ANNUAL AUDIT OF BRIDGE COMMISSIONS AND AUTHORITIES CREATED BY ACT OF CONGRESS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes (with an accompanying paper); to the Committee on Public Works.

RESOLUTION OF GENERAL ASSEMBLY OF RHODE ISLAND

Mr. PASTORE. Mr. President, on behalf of myself, and the senior Senator from Rhode Island [Mr. GREEN], I present for appropriate reference, and ask to have printed in the RECORD a resolution of the General Assembly of the State of Rhode Island memorializing the Congress of the United States with respect to the construction of a breakwater across the northern approaches to Coddingtong Cove in Newport, R. I., passed by the general assembly at the January session 1959.

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

S. 177

Resolution memorializing Congress with respect to the construction of a breakwater across the northern approaches to Coddingtong Cove in Newport, R. I.

Whereas the General Assembly of the State of Rhode Island and Providence Plantations here assembled, is dedicated to the continued prosperity of our Nation and our State; and

Whereas we recognize the necessity for a strong United States Navy to insure our free use of the seas, and the vital contribution made to our national defense by the ships of the Destroyer Force, U.S. Atlantic Fleet; and

Whereas a considerable portion of the State of Rhode Island's income is derived from salaries paid by the Navy and from purchases by the Navy to support fleet units based in Rhode Island; and

Whereas the Destroyer Force, U.S. Atlantic Fleet, contributes the largest single share to the local economy with an annual estimated payroll of \$53 million to its 21,000 men whose ships are home ported in our State; and

Whereas (1) During any 48-hour period of heavy seas and strong winds, ships berthed in Coddingtong Cove in Rhode Island lose an estimated \$117,000 in man-hours' labor as a result of interference to normal work schedules; and

(2) Loss of work due to decreased efficiency of destroyer tender repair forces during such a 48-hour period is estimated at \$9,000; and

(3) An additional estimated \$14,000 is lost during this 48-hour period as a result of increased maintenance costs including loss of fuel required to maintain engineering standby conditions, costs of food required to feed destroyermen who would normally be ashore during liberty hours, and costs of civilian laborers required for possible emergency

sortie from the now-unprotected destroyer pier area; and

Since this 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 destroyers in the Atlantic Fleet: Now, therefore, be it

Resolved, That the members of the general assembly now request Congress to give prompt consideration to the construction of a breakwater across the northern approaches to Coddington Cove, to provide a safe harbor in Narragansett Bay, R.I., and to effect an economy in a time of heavy military expenditures, respectfully requesting the Senators and Representatives from 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, the U.S. Bureau of Yards and Docks and the Secretary of Defense duly certified copies of this resolution.

STATEHOOD FOR HAWAII—JOINT RESOLUTION OF LEGISLATURE OF NEW MEXICO

Mr. CHAVEZ. Mr. President, the 24th Legislature of New Mexico passed a joint memorial memorializing the Congress to extend the full rights and duties of statehood to Hawaii by admitting her into the Union. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the joint resolution was referred to the Committee on Interior and Insular Affairs, and, under the rule, ordered to be printed in the RECORD, as follows:

HOUSE JOINT MEMORIAL 5

Joint memorial memorializing the Congress of these United States to extend the fullest rights, duties, and blessings of statehood upon Hawaii by admitting her to the Union of the United States of America

Whereas over 49 percent of the pupils in the public schools of Hawaii are citizens of the United States; and

Whereas the half million people of the islands include among their members large numbers of three great racial groups who speak five of the great languages heard around the world; and

Whereas members of nearly 50 language and racial groups and subgroups have long been associated together in amity and mutual esteem in the public schools of the territory; and

Whereas as long ago as 1851 the islanders secretly petitioned these United States to be taken under our protection; and

Whereas the islands of Hawaii were annexed by joint resolution of Congress in 1898 and established as a Territory by law in 1900; and

Whereas the people of the Territory have amply demonstrated their capacity for self-government and self-reliance; and

Whereas the people of the United States must demonstrate to the world that our published ideals of liberty, fraternity, and equality are in truth a living creed to which we adhere: Now, therefore, be it

Resolved by the Legislature of the State of New Mexico, That the Congress and President of the United States be respectfully petitioned to admit Hawaii to statehood without delay; and be it further

Resolved, That copies of this joint memorial of the Legislature of the State of New Mexico be sent to the President of the United States, the President of the U.S. Senate, the Speaker of the U.S. House of Repre-

sentatives, and to the members of the New Mexico delegation to the U.S. Congress.

ED V. MEAD,
President, Senate.

HAL THORNBERRY,
Chief Clerk.

MACK EASLEY,
Speaker, House of Representatives.

ALBERT ROMERO,
Chief Clerk, House of Representatives.

HIGH FREQUENCY BOOSTER STATIONS FOR TELEVISION RECEPTION

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the RECORD Senate Joint Memorial 1, adopted by the Montana Legislature, which urges the Congress of the United States and 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.

Mr. President, I support this memorial and view it as strong support for Senate Concurrent Resolution 4 submitted on January 23, 1959, by the Senator from Colorado [Mr. CARROLL], and cosponsored by myself, the junior Senator from Montana [Mr. MANSFIELD], and a number of other western Senators.

There being no objection, the joint memorial was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL 1

Joint memorial by the Senate of the 36th Legislative Assembly of the State of Montana, the House of Representatives concurring, to the Congress of the United States; the Honorable JAMES E. MURRAY, U.S. Senator from Montana; the Honorable MIKE MANSFIELD, U.S. Senator from Montana; the Honorable LEE METCALF, U.S. Congressman from Montana; the Honorable LEROY ANDERSON, Congressman from Montana; and 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

Whereas there are many communities and farm areas within the State of Montana, whose people depend upon low power, very high frequency stations as their only means of receiving television programs; and

Whereas the rugged terrain of the Rocky Mountain region and the large number of isolated farm homes, ranch homes, and small communities makes the use of ultra high frequency translator stations impractical, if indeed not impossible, according to the opinions expressed by competent and qualified broadcast engineers, as well as by certain members of the Federal Communications Commission; and

Whereas it is economically impossible for these communities and farm areas to support, construct, or operate any other form of duly authorized television service; and

Whereas the loss of low power very high frequency booster stations would deprive not less than one-fourth of the people of Montana of television service; and

Whereas there is ample proof that low power very high frequency booster stations can be regulated so as to preclude interference with licensed television services or commercial and military communications and navigation services; and

Whereas the Federal Communications Commission did summarily dismiss, without formal hearing, its own rule 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 announcement of its dismissal of petitions for reconsideration, including those filed by the Honorable J. Hugo Aronson, Governor of Montana; the Honorable James E. Murray, U.S. Senator from Montana; the Honorable Mike Mansfield, U.S. Senator from Montana; the Honorable Lee Metcalf, Congressman from Montana; and the Honorable LeRoy Anderson, Congressman from Montana, all of whom sought to procure reasonable rules which would permit the continued operation of said booster stations under the regulatory power of the Federal Government; and

Whereas the Federal Communications Commission did also announce on December 31, 1958, that all booster stations would be given a period of 90 days in which to apply for conversion to ultra high frequency translators or some other authorized television operation, and upon failure to do so would be ordered to cease operation: Now, therefore, be it

Resolved by the Senate of the 36th Legislative Assembly of the State of Montana, the House of Representatives concurring, That the Senate of the State of Montana, the House of Representatives concurring, hereby memorialize the Federal Communications Commission to rescind its order of December 31, 1958, and the Congress of the United States for such remedial action within such 90-day period as the Congress deems fit through the exercise of its authority over the Federal Communications Commission to insure the continued operation of low power very high frequency booster stations, to the end that the people in the small communities and rural areas of the State of Montana shall not be denied their basic right to equality of access to the informational, educational, inspirational, cultural, and entertainment services of the American system of free television; and be it further

Resolved, That copies of this joint memorial of the 36th Legislative Assembly of the State of Montana be transmitted by the Secretary of State of the State of Montana; to the President of the Senate of the United States; the Speaker of the House of Representatives of the United States; the Honorable James E. Murray, U.S. Senator from Montana; the Honorable Mike Mansfield, U.S. Senator from Montana; the Honorable Lee Metcalf, Congressman from Montana; the Honorable LeRoy Anderson, Congressman from Montana; and Mr. John C. Doerfer, Chairman of the Federal Communications Commission.

PAUL CANNON,
President of the Senate.
JOHN J. MACDONALD,
Speaker of the House.

POLITICAL SITUATION IN KOREA—LETTERS

Mr. GREEN. Mr. President, many of us are disturbed about the political situation in Korea. The Committee on Foreign Relations has been briefed on it by the U.S. Ambassador there, Ambassador Dowling. It would appear that some members of the Liberal Party, the government party in Korea, desire to perpetuate themselves in power by restricting the activities of members of the Democratic Party, the opposition party 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 widely acquainted there 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 I suggest that the Department 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 21, 1959.

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

DEAR SENATOR GREEN: Recently there have been some political developments of such portent and significance in this country that I feel it is necessary to give a fuller explanation of them than that which may be found in the newspapers and magazines which you may see in the United States.

In view of your position and the fact that I am one of your constituents, I am sending this information to you before anyone else. Substantially the same material will be sent to other interested parties in a few days time. A second copy of this letter will also be sent in care of your secretary. Since the administration and the Department of State have their own sources of information, I shall probably not send a copy through official channels, especially since I assume that you can approach them on the subject if you believe there is anything in what I have to say.

I do not know exactly to what extent my views may agree or conflict with those of Ambassador Dowling and his staff, but I should like to state briefly why I feel that I am entitled to a hearing. Following graduation from Yale in 1953, I spent 2 years in the Army, one of them in Korea as an agent and analyst for the U.S. Army Counter Intelligence Corps. I then spent the academic year 1956-57 at Yale studying the Korean language. I returned to Korea in September 1957 as an employee of the Asia Foundation and I have been teaching at a university in Taegu for the past year and a half. I do not claim to be closely associated with the top political figures in Korea, but I have many longstanding acquaintances in Seoul; I know a number of newspaper editors and reporters; I have considerable contact with students and intellectuals; and I have fair contact with the ordinary people in the cities. Since I am not an official of the Government it is perhaps easier for me to have frank conversations with Koreans in sensitive positions; however, I have found that quite a number of Americans here are in substantial agreement with me, including several of our Government officials, and it is not the purpose of my letter to criticize any of the individuals who are implementing our policy here. 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 Asia Foundation.

The situation in Korea has become increasingly more tense since the last general election in May 1958 due to the efforts of the party in power, the Liberal Party, to enact legislation which will guarantee their control of the presidential election in 1960 and to put into effect security measures which will prevent the mobilization of public opinion against the proposed legislation.

In essence, the background is simple enough. The last few elections have been sufficiently democratic to permit the opposi-

tion groups to increase their percentage of the popular vote as well as their representation in the national assembly. The trend may be observed in a comparison of the election of 1952 when Rhee received 72 percent of the popular vote with that of 1956 when he received 56 percent. In 1956 the candidate of the Democratic Party, the major opposition party, Mr. Shin I Ki (Shinicky) died shortly before the election, yet he received a protest vote amounting to about one-fifth of the total vote. (R.O.K. election law forbids the substitution of candidates on short notice.) The remainder of the vote went to Cho Bong Am, the leader of the Progressive Party. Cho had once been a Communist, but subsequent to his renunciation of communism he was so well thought of as to be named Minister of Agriculture in the first R.O.K. cabinet of 1948. In the same election in 1956 a Democratic Party Vice President, Chang Myun (John M. Chang) was swept into office over Assembly speaker, Lee Ki Pung, Rhee's own choice.

About 6 months before the last election the Progressive Party was indicted for subversion in behalf of the North Korean regime. Following the first trial in this highly controversial case, Cho Bong Am was given a 5-year sentence. The prosecution appealed and, at the conclusion of the second trial in November 1958, Mr. Cho was sentenced to death.

Vice President Chang may not be under "house arrest," depending on what that is, but he is under police surveillance and few people dare to visit him at his home unless they are already openly committed to his party.

In the National Assembly election of 1958 the opposition Democratic Party raised its strength in the Assembly from about 50 to over 80. In this election for the first time the Liberal Party's majority was cut to less than two-thirds of the 233 members. Had campaign and electoral procedures been properly observed, it is quite conceivable that a Democratic Party majority would have been elected. In actual fact, there were many irregularities. In some instances these occurred in the cities and came to the attention of the newspapers. In a few of such cases where flagrant violations such as the theft of ballots were noted by U.N. observers the result was declared invalid. The population is over 60-percent rural, however, and the Government control of the rural areas is very strong. Opposition newspapers are not easily distributed there and the Democratic Party lacks the funds for extensive campaigning outside the metropolitan areas. In addition, rallies may be forbidden in country districts and 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 a sober optimism in regard to the long term picture. None of the competing political parties were indifferent to the Communist menace. Resort to coercion on the part of the Government seemed less than previously. The election of an opposition Vice President had proved that elections were not completely farcical. Courts were able to hand down verdicts which redressed violations of the election law, and there seemed to be a growing awareness of democratic principles and an increased desire to put these principles into practice. Since the early fall however, the administration, apparently realizing that drastic measures would now be necessary, has been cracking down hard in 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, because of its vagueness, is to provide for penalties against those who say or write things critical of the Government. The effect of the second is to provide for the appointment by the Central Government of local officials from the level of mayor down to that of district chief. (District denotes the administrative level just above that of village. Provincial governors and vice governors have always been appointed.) The appointment system replaces that of popular election. Most of the mayors of cities and towns are of the opposition party and the Government is expected to replace about two-thirds of these before the presidential election in 1960. The opposition party will be further hurt by the fact that the cancellation of the many local campaigns which would have been held before the presidential election deprives 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 population is obvious. In addition to these two bills one has been proposed to alter the status of the judiciary through a change in the system of appointments so that the position of the judiciary vis-a-vis that of the administration will be reduced. In their purpose and in their result these bills give the Liberal Party a stranglehold on the country. Misdeeds will be easier at the time of the next election. The press will be prevented from reporting them and the judiciary from rectifying them.

The Democratic Party minority in the Assembly regarded these bills as a threat to the continued existence of their party since they would prevent the party from severely criticizing the Government and from using the press as a weapon. As they lacked the numerical strength to block the bill to amend the security law by vote in the Assembly, they attempted to stop it by occupying the legislative chamber day and night and by obstructing the normal procedure of the house by noisy demonstrations whenever the majority party attempted to hold a session. Previously they had attempted to block the bill in committee by procedural tactics. Rules state that a member may not be interrupted while questioning the committee chairman and that he may question as long as he desires. The Democratic Party members on the committee had held up the bill in this way, but the Liberal Party members of the committee agreed privately to hold a session at a time unknown to the Democratic Party members and at that meeting the bill was cleared through without further debate. The so-called Democratic Party "sitdown strike" continued for about 5 or 6 days before Christmas. On the morning of Christmas Eve the police cordoned off an area of several blocks around the National Assembly building. Three hundred men in police uniforms entered the chamber and in a violent battle overcame the Democratic Party members and dragged them from the chamber. While the opposition members were detained in rooms above and below the chamber the Liberals by a vote of 128 to nothing passed not only the security bill but also the new autonomy law and some 20-odd other bills, including the budget for 1959. All were passed without debate. Several of the minority assemblymen were hospitalized after the battle. It appears that the men who removed the assemblymen were not members of the regular Assembly security force. The story in the newspapers is that, judo experts were brought up to deal with the situation and that additional uniforms had to be made for them the night before the operation in the Assembly. I am not certain of the truth in this matter, but there seems to be general agreement that

the men who did the job were not authorized 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 be prevented from holding demonstrations against the security law and calling for its repeal. The Government has taken the position that criticism of any law outside the National Assembly itself is illegal. Law requires that any group planning a rally must notify the police of the time and place. The Democratic Party has adhered 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 are also stopped on the street and 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 taxi in which I was riding was stopped three times during a 1-mile ride toward the downtown area. As Americans we are not greatly inconvenienced as it is to the interest of the Government to do as little as possible which might occasion unfavorable comment by the foreign community. The Koreans have been considerably inconvenienced however, and their dislike for the Government has increased accordingly.

The justification which has been advanced for the ban on public gatherings and for the bills referred to is that they are made necessary by the increased threat of Communist subversion. I have not been able to find anyone among the Koreans I know, including some who are critical of the opposition party, who takes this justification seriously. 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 from rallies which might be held at the present time. To the masses the security bill is an abstract issue and not one which moves them emotionally. The Democratic Party is definitely anti-Communist. Vice President Chang is a Roman Catholic. Most Americans are agreed that its leaders are more conservative in their thinking than the Liberals. The Government has never suggested previously that there was any Communist influence in the Democratic Party, but recently the police have insinuated 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 recently he refused to see a group of Democratic Party delegates who wished to discuss the situation with him and a few days ago he refused the request of the Vice President for an appointment on the grounds that he would see no one who is opposed to the security law. Rhee has thus far been regarded almost as above criticism. Mistakes have always been attributed to others and not to the President who has been widely considered to be ignorant somehow of the malfeasance on every side. His refusal to act in the present circumstances to help bring about a resumption of parliamentary activity is beginning to bring about a more realistic and critical view of the man.

I do not know exactly how our policy planners conceive of our interest in Korea. There are some Americans who believe that we are purposely supporting the Liberal Party because it is an avowed anti-Communist group and that because of the importance of our military position here we are prepared to condone any enormity which this group may commit. From a conversation I had a few weeks ago with Mr. Warne, the director of OEC (ICA in Korea), I am inclined to doubt this. It seems rather that we are seriously following a policy of noninterference. I do not claim to know enough to state positively what policy we should follow, however I have been observing events here for some time and have talked to a great many Koreans who are well acquainted with what is happening here and I feel that if 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. This has in part been due to the chronic economic difficulties of the country, but additionally to the fact that the Government officials are robbing the people and the people know this. There are countless instances of this and the situation has been reported in a number of American magazines and newspapers. Suffice to say it is common knowledge here. One type of robbery involves the misuse of U.S. aid. The other type involves extortion from the Koreans themselves. For example if a store owner pays a bribe the tax assessed on his store will be low. Otherwise it will steadily increase. I know one store owner who is paying a tax three times as high as that imposed on a larger store of the same type in the same area because of his refusal to bribe. Over and over one hears accounts of this sort of thing and of how merchants who don't cooperate are harried out of business by the police. The unfairness of the system is extremely irritating to the people. Liberal Party people enjoy privileges which may not be readily apparent to foreigners, but which are substantial enough. They may obtain bank loans, for example, regardless of the inadequacy of their security while others are turned away. Good students don't get the best jobs any more. What counts is who you know and the best ones often get nothing unless they can raise some funds and pay someone to hire them. The growing inequity of the system is bringing about increasing discontent. People are antigovernment now whom I remember as being indifferent a few years ago. Japanese imperialism was bad, people are saying, but at least it was fair and everyone suffered the same burden.

The pressure building up against the regime is further increased by the influx of democratic ideas from the West and by the scarcity of jobs for intellectuals. At present there are about 3,500 Korean students in the United States and a few hundred more in other Western countries. Every year some of these return home with the aspiration of putting some of their new ideas into practice only to find that not only are they thwarted in this regard, but also that they are lucky to get any kind of a respectable position at all. Korea has the same proportion of its population in colleges as Great Britain, a highly advanced society, but Korea does not have jobs for its students. Roughly one-fourth of the graduates are able to find jobs. A newspaper editor told me yesterday that every day seven or eight students knock on his door and offer to work for nothing. Every year many of these graduates become part of a highly resentful and disenchanted group of speculative thinkers who believe it is useless to think of progress until a sweeping change reorganizes the whole society.

Those who are students now were only in their teens when the war ended and were

barely 12 or so during the Communist occupation in 1950. They lack the understanding of communism which the older groups possess. Already the brightest of them in class are asking, "Why can't the Russian proposals for unification be accepted?" If the present trend continues, we may in a few years be confronted with a situation in which the Russians will be able to accept our proposals for unification because the south, favoring pro-Communist candidates, will outvote the north. The present R.O.K. government opposes Korea-wide elections because it does not wish to see its own position threatened, but rather wishes to perpetuate its control, but this attitude will not satisfy the people if there appears to be a real chance of unification through U.N.-sponsored nationwide elections. About 2 months ago a man said to me "the Liberal Party platform makes it too obvious that they don't want unification."

The young men now think of the army primarily as something to be avoided. Those with 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 R.O.K. Army is very low especially below the rank of captain. Sympathy with the opposition, judging by the newspapers they read, runs very high as it does among the students. The enlisted men are treated very badly and in the frontline areas especially they are underfed. This last is because the rations are often sold instead of being issued to the men. The men are aware of this and also of the fact that unit commanders are often pressured into turning in majorities for the Liberal Party when elections are held.

The condition of the agrarian population is poor. Inflation in Korea has been almost completely stopped, but seemingly at the cost of the farmers by keeping the cost of farm commodities down. A local official of the Bank of Korea here in Taegu told me recently that 20 percent of the factories in the Taegu area have shut down because the farmers are unable to buy new tools. A Taegu paper on January 17 said that 30 percent of the medium and small enterprises have closed. Similar stories about conditions in the country as a whole appear every week, but somehow they don't find their way into the OEC reports, at least not in those which are made public.

It should not be inferred that there has been no improvement over the last few years. Conditions in the cities have improved and the people are better off than they were before from a material point of view, but they are not satisfied with this because they believe that much more is possible and that they are entitled to much more. The Government tries to whip up excitement with anti-Communist and anti-Japanese drives and the students are turned out to parade from time to time in a semblance of unity, but no one is really enthusiastic. At the parade last summer in celebration of August 15, Liberation Day, I heard no applause even when the President's car drove by.

The common man is not prepared to fight against the security bill because he has too much to worry about simply trying to make ends meet each month. The intellectuals are enraged by it, however, and it is interesting that some of the merchants view it in economic terms. They feel that the officials are engaging in theft and extortion and that the only defense against this is the power to criticize and expose them in the press. The security law will help to muffle such criticism.

I suppose there is little question that we lose respect throughout the world generally by seeming to sponsor the present Korean regime, for, by not interfering in one way or another, we are identified with it by our economic and military aid. I feel there are

other dangers as well. At present the Vice President is a member of the opposition party. Already attempts have been made on his life. Should Rhee die before the 1960 election something will have to be done about Vice President Chang. It would be somewhat embarrassing should the nominal head of State ask for asylum in the United States Embassy. On the other hand, should he be arrested or killed popular feeling would be far higher than over a comparatively abstract issue like the rights of the press. Popular loyalty here is apt to attach itself to individual persons in a strongly emotional way. In 1956 when Shin I Ki died a great crowd gathered at Seoul station when his body was carried off the train. They began to convey his body toward Kyungmudal, the presidential mansion, where they felt he belonged. At Kyungmudal itself they were met by a police line and some violence followed. Those who witnessed the scene seem to be agreed that Syngman Rhee's government would have fallen that day except that it was raining, which tends to lessen the ardor of a crowd, and the fact that the crowd had no leader as the movement was largely spontaneous. Such an uprising could be very unfortunate if those elements of the population who dislike Americans were not controlled. Such an uprising, or the utilization of the national police by one faction to destroy another, or a clash between army units and the national police would almost certainly be prejudicial to the interests of the United States. It would publicize to the world our failure in Korea and perhaps our sponsorship of repression as well. It would be exploited by the Communists as propaganda material and might even be used as an excuse for attack at a favorable moment of confusion.

Even should no uprising or internal strife occur, the country will become very weak as an anti-Communist outpost. A professor, who is not a Democratic Party member, told me that the most energetic and creative elements here are frustrated by the stagnation of the society and the lack of opportunity and that the people are ready to welcome almost any change because they are desperate. One of our arguments in support of our 900,000 man U.S. Army has been that our allies will fight when attacked. This may turn out to be one ally which won't. If legitimate opposition is forced underground, the Communists with their superior organizational tactics will be in a good position to take control of it. The people are basically anti-Communist as a result of the war. There is still a chance to arrest the present trend and save the situation, but there is not a moment to lose.

I should now like to summarize the situation in a few major points.

I

Korea is moving away from a free society and is now virtually a police state. As a country adopts 20th century technology it is bound to swing to one extreme or the other. Every modern nation has had to make this choice.

II

The consequences will be extremely unfortunate for the United States if Korea becomes an unprogressive autocracy maintained by repression. Totalitarianism is feasible if there is an ideal involved and if there is an energetic and dedicated cadre serving the state, but the autocracy here is characterized by its indolence rather than by its energy or its vision. The three main possibilities: our reputation tarnished in the world and resentment against us in Korea, the weakening of Korea as an ally, the danger of a violent outbreak in Korea itself, would all be harmful to the United States.

III

A decisive U.S. policy is required. The crushing of the Democratic Party before the 1960 election would mean the end of any semblance of democracy in Korea. A hard faction has taken over the Liberal Party and it intends to employ force and threats of force to protect its interests. The period from now until the election of 1960 is crucial. If the Democratic Party is intimidated and unable to make a good showing in 1960 it will be financially and psychologically unable to continue as a party. The Liberals cannot accept the possibility of losing power constitutionally or otherwise and they intend to take complete control of the country, by violence if necessary, before the 1960 election takes place. Strong and persistent U.S. pressure is necessary to prevent this if it is not to our interests. The Korean Government will conduct its repression through a series of minor incidents marked by stops and starts with periods of relaxation to lessen public indignation and allay American suspicions. The machinery has been set up and the situation will slide away from us in a series of minor developments unless pressure and vigilance are maintained.

Total noninterference is not a meaningful or realistic policy. Interference is unavoidable in our present military and economic relationship with Korea.

No other third force exists except the unpredictable R.O.K. Army. Aid without supervision is irresponsible interference. Already there have been references in the press to U.S. aid for vehicles and heavy weapons which are being used against the people.

The argument that the Koreans are not ready for democracy is not relevant to the problems posed by the present regime and the tensions and pressures building up against it. Nor does it justify our standing aside while the situation becomes worse than it need be.

IV

There is a danger that too many Americans here have a vested interest in conveying the impression in their reports that all goes well in Korea. This applies to OEC, the Korean Military Advisory Group (KMAG), the State Department and so forth. If things are not as they should be, it's supposed to be someone's fault and naturally no one wants to be blamed. The jobs and contracts involved in American assistance are dependent on the continuance of each phase of the assistance program.

Even with the best intentions American officials are apt to be desk bound and isolated in compounds and thus find it difficult to meet Koreans with whom they can have a frank exchange of views. One very high American official remarked to me that all the families he knew in Seoul had someone in the United States which illustrates the fact that American officials usually associate with the satisfied people and are not easily able to assess the forces of discontent because they rarely talk with people who are discontented.

Apparently we do not feel that it is to our interest to keep our own troops in Korea well informed on the situation here. The radio station here mentioned nothing about the police action in the National Assembly on Christmas Eve, nothing about the security law or the autonomy law, or at least I have not been able to hear anything of these events which have been the biggest news in some years for Koreans. I hardly ever see one of the two English language Korean newspapers in U.S. military establishments and when I do see one it is always the Government Korean Republic rather than the independent Korea Times. Since the U.S. Army paper Stars and Stripes carries almost no Korean news talking to one of our soldiers about events in Korea is like talking with someone in North Dakota.

This letter is submitted in the realization that I am not in possession of all the facts but with the conviction that information from private sources may sometimes be of use particularly in regard to an area not covered regularly by any American correspondents. Although I greatly prefer to see the United States sponsor the growth of democracy I can imagine a situation in which it may be necessary to work with an autocratic regime. If we are to support a regime which is daily growing more rigid and autocratic in this country, does it make sense to have USIS and other organizations here advertising and explaining democracy or to invite liberal arts students to the United States where they can experience democracy first hand. Such policies make sense, it would seem, only if fundamental electoral and judicial processes retain their integrity, the opposition is permitted freedom to maneuver, and in short the way is left open for peaceful change. If this is what we want in Korea, we must persistently pursue a policy toward that end using all the levers available including economic aid. If we merely react from crisis to crisis we will be too late.

Yours very sincerely,

STEPHEN BRADNER.

SAN FRANCISCO, CALIF., January 27, 1959.
HON. THEODORE FRANCIS GREEN,
U.S. Senate, Washington, D.C.

DEAR SENATOR GREEN: I should like to make the following corrections and additions to my letter of January 21.

First. On the third page in the bottom paragraph I said that the opposition Democratic Party here in Korea attempted to stop the security bill by extended questioning in committee but that the Liberals defeated this strategy by scheduling a committee meeting at a time unknown to the Democratic committee members. This was the first account that I heard and I failed to check it carefully. It now appears that the Democratic members were 3 minutes late to the meeting and that the Liberals simply did not wait for their attendance, but sent the bill to the floor without further discussion.

In the final paragraph of my letter I suggested that there might be a conflict of policy in supporting a rigid autocratic regime and at the same time fostering the growth of democratic ideas through organizations such as USIS which advertise democracy and through programs by which Korean students are sent to the United States to study the humanities and to further absorb democratic values. My meaning may be a bit unclear; I mean that if we are to support an autocracy we should be interested in lessening rather than increasing the tension building up against it internally. It appears to me that extensive education in the liberal arts field with a focus on democratic ideals may have the effect of increasing the internal pressure when there are very few jobs for those who receive such education and the governmental functions are in the hands of a closed corporation. Regardless of the fact that the opposition party may be no better than the one presently in power, may there not be some danger in allowing the avenue to constitutional change to be closed while this pressure increases?

Thank you for your attention.

Yours very truly,

STEPHEN BRADNER.

BROTHERHOOD AND BROTHERHOOD WEEK—RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by Suffolk County Post No. 488, Jewish War Veterans of the U.S.A., at Huntington,

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

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

RESOLUTION ON BROTHERHOOD AND BROTHERHOOD WEEK

The Suffolk County Post No. 488, Jewish War Veterans of the U.S.A., passed the following resolution at the regular muster held on January 15, 1959, at Temple Beth El, Huntington, N.Y.:

"Whereas the Suffolk County Post No. 488, Jewish War Veterans of the U.S.A., affiliated with the national, department, and district council and the constitutions thereof; and "Whereas one of the basic principles of the Judaic faith espouses and defines 'brotherhood' and its way of life; and

"Whereas the recent antireligious 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 faith 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 oldest veterans organization in our country, call upon our Government to emphasize and proclaim brotherhood, the slogan of '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 Javits and Keating, Congressman Wainwright, Governor Rockefeller, Supervisor Johnson of township of Huntington, National Commander Shaikowitz of Jewish War Veterans, Department Commander Tannenbaum of Jewish War Veterans, and District Council Commander Wasserman as well as all comrades of the post."

SIDNEY BROWN,
Commander.

Attest: HERBERT EISENBRUCH,
Adjutant.

REPORT ENTITLED "ACTIVITIES OF THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS" (S. REPT. NO. 52)

Mr. McCLELLAN. Mr. President, on behalf of the Committee on Government Operations, I submit a report of that committee entitled "Activities of the Senate Committee on Government Operations for the 85th Congress," and ask that it be printed.

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

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. MURRAY:

S. 1104. A bill for the relief of Pak Jae Seun; to the Committee on the Judiciary.

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

S. 1105. A bill to improve the land tenure patterns on the Fort Belknap Reservation; and

S. 1106. A bill to provide that certain lands shall be held in trust for Indian tribes on the Fort Belknap Reservation, and to provide that such lands shall become part of

such reservation; to the Committee on Interior and Insular Affairs.

By Mr. GREEN:

S. 1107. A bill for the relief of Eugene O. Jalbert; to the Committee on the Judiciary.

S. 1108. A bill to correct injustice by providing for the payment of certain amounts of compensation to officers who were found under the provisions of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 to have been removed from the active list of the Army without justification and who were subsequently restored to the active list; to the Committee on Armed Services.

By Mr. McNAMARA:

S. 1109. A bill for the relief of Efthimos Chonacas; to the Committee on the Judiciary.

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

S. 1110. A bill to amend the act of August 4, 1955 (Public Law 237, 84th Cong.) to provide for conveyance of certain interests in the lands covered by such act; to the Committee on Agriculture and Forestry.

By Mr. BIBLE (by request):

S. 1111. A bill to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to widows and children of former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service Division, who were retired or whose death occurred prior to the effective date of such amendments of 1957; and

S. 1112. A bill to amend the act of March 3, 1901, to eliminate the requirement that certain District of Columbia corporations be managed by not more than 15 trustees; to the Committee on the District of Columbia.

By Mr. LONG (for himself, Mr. BART-

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

S. 1113. A bill to amend title 38 of the United States Code to provide a 1-year period during which certain veterans may be granted national service life insurance; to the Committee on Finance.

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

By Mr. WILLIAMS of Delaware:

S. 1114. A bill to regulate the granting of free or reduced-rate transportation of employees of the U.S. Government by common carriers by water engaged in foreign commerce and in commerce between the United States and its Territories and possessions; to the Committee on Interstate and Foreign Commerce.

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

By Mr. ELLENDER (for himself and Mr. LONG):

S. 1115. A bill for the relief of the State of Louisiana; to the Committee on the Judiciary.

By Mr. GOLDWATER:

S. 1116. A bill 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; to the Committee on Labor and Public Welfare.

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

By Mr. SMATHERS (for himself and Mr. HOLLAND):

S. 1117. A bill to provide for the appointment of additional judges for the southern district and the northern and southern districts of Florida; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 1118. A bill to authorize a 5-year program of grants and scholarships for collegiate education in the field of nursing, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. HUMPHREY (for himself and Mr. McNAMARA):

S. 1119. A bill to amend the Davis-Bacon Act and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. ROBERTSON (for himself, Mr. FULBRIGHT, and Mr. CAPEHART):

S. 1120. A bill to amend section 19 of the Federal Reserve Act with respect to the reserves required to be maintained by member banks of the Federal Reserve System against deposits; to the Committee on Banking and Currency.

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

By Mr. O'MAHONEY:

S. 1121. A bill to supplement and modify the Act of May 24, 1828 (6 Stat. 383, ch. CXII), insofar as it relates to the corporate powers of the Sisters of the Visitation, of Georgetown in the District of Columbia; to the Committee on the District of Columbia.

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

S. 1122. A bill to place in trust status certain lands on the Wind River Indian Reservation in Wyoming; to the Committee on Interior and Insular Affairs.

By Mr. HUMPHREY (for himself, Mr. NEUBERGER, Mr. BYRD of West Virginia, Mr. CLARK, Mr. DOUGLAS, Mr. LANGER, Mr. MUNDT, Mr. LAUSCHE, Mr. MANSFIELD, Mr. MARTIN, Mr. MORSE, Mr. MURRAY, Mr. PROXMIER, Mr. RANDOLPH, Mrs. SMITH, Mr. WILEY, and Mr. WILLIAMS of New Jersey):

S. 1123. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. CAPEHART (for himself, Mr. AIKEN, Mr. BRIDGES, Mr. CARLSON, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. CHAVEZ, Mr. EASTLAND, Mr. GOLDWATER, Mr. HRUSKA, Mr. MARTIN, Mr. SCHOEPPEL, Mr. SPARKMAN, Mr. ALLOTT, Mr. BEALL, Mr. DIRKSEN, Mr. YOUNG of North Dakota, Mr. LANGER, and Mr. MUNDT):

S. 1124. A bill to provide for a scientific study and research program for the purpose of developing increased and additional industrial uses of agricultural products so as to reduce surpluses of such products and to

increase the income of farmers, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. NEUBERGER (for himself, Mr. BARTLETT, Mr. GRUENING, Mr. MORSE, Mr. MURRAY, Mr. MANSFIELD, Mr. HUMPHREY, Mr. ALLOTT, Mr. KUCHEL, Mr. ENGLE, Mr. BIBLE, Mr. HOLLAND, Mr. KENNEDY, Mr. CHURCH, Mr. MOSS, and Mr. MCGEE):

S. 1125. A bill to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway; to the Committee on Public Works.

(See the remarks of Mr. NEUBERGER 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. EASTLAND:

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 Jurij Antin Nimyłowycz; to the Committee on the Judiciary.

By Mr. KEATING:

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 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 a separate heading.)

By Mr. KEFAUVER:

S. 1133. A bill for the relief of Alexandra Nicholas Karageorgeou; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 1134. A bill for the relief of Manuel Gil-Carrasco and Jesus Torrado-Espana; and

S. 1135. A bill for the relief of Alice Kazana; to the Committee on the Judiciary.

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

S. 1136. A bill to provide for transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment of the costs thereof; to the Committee on Interior and Insular Affairs.

By Mr. McCLELLAN:

S. 1137. A bill to provide minimum standards guaranteeing basic rights of labor-union members and insuring 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 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 bargain collectively; to prevent loss of Government revenues due to evasion of income-tax laws; and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. YARBOROUGH (for himself, Mr. McNAMARA, Mr. YOUNG of Ohio, Mr. MURRAY, and Mr. HART):

S. 1138. A bill to provide readjustment assistance to veterans who serve in the Armed Forces between January 31, 1955, and July 1, 1963; to the Committee on Labor and Public Welfare.

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

By Mr. JAVITS (for himself, Mr. MORSE, and Mr. HARTKE):

S. 1139. A bill 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 sold; to the Committee on the District of Columbia.

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

By Mr. CARLSON (for himself, Mr. MORSE, Mr. MAGNUSON, Mr. NEUBERGER, Mr. CURTIS, Mr. CASE of South Dakota, and Mr. JACKSON):

S. 1140. A bill to amend 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. 1141. A bill for the relief of John G. Sarris; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 1142. A bill to provide for the appointment of a district judge for the district of Maryland; to the Committee on the Judiciary.

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

By Mr. CARLSON:

S. 1143. A bill for the relief of Harvey Hiroaki Horiuchi; 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 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; 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. ELLENDER):

S. 1146. A bill to authorize improvement of Bayous Petit Anse, Tigre, and Carlin, La.;

S. 1147. A bill authorizing the modification of the existing project for Bayou Lafourche, La., in the interest of navigation; and

S. 1148. A bill to provide for the improvement of Fresh Water Bayou, La.; to the Committee on Public Works.

By Mr. ALLOTT:

S. 1149. A bill for the relief of Capt. Thomas J. McArdle; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S.J. Res. 52. Joint resolution directing the Commissioners of the District of Columbia to cause a study to be made of all factors involved in the establishment, construction, and operation of helicopters within the District of Columbia; to the Committee on the District of Columbia.

By Mr. KEATING:

S.J. Res. 53. Joint resolution designating the fourth Sunday in September of each year as "Interfaith Day"; to the Committee on the Judiciary.

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

By Mr. JAVITS:

S.J. Res. 54. Joint resolution authorizing the erection of a statue of Taras Shevchenko on public grounds in the District of Columbia; to the Committee on Rules and Administration.

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

By Mr. KEATING:

S.J. Res. 55. Joint resolution to establish December 15 of every year as Bill of Rights Day; to the Committee on the Judiciary.

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

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 Nuremberg 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 early period of the Four 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 that 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 distinguished and respected Americans have created the 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 it is essential 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 my 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 reference, and ask unanimous consent that it be printed at this point in the body of the RECORD.

The resolution (S. Res. 82), submitted by Mr. DODD, 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 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 better served by a free West Germany within the Western Community than by a superficially reunited Germany afflicted with a Communist East Germany.

4. 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.

5. Whoever may be in nominal control of East Germany, the United States should enforce its 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.

PRINTING AS A SENATE DOCUMENT
A REPORT ENTITLED "A REVIEW
OF U.S. GOVERNMENT OPERATIONS
IN LATIN AMERICA"

Mr. ELLENDER. Mr. President, I submit a resolution and ask for its immediate consideration. I have consulted with the distinguished majority leader and the distinguished minority leader, and they have no objection to its present consideration.

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

The LEGISLATIVE CLERK. A resolution that a report entitled "A Review of U.S. Government Operations in Latin America," be printed for the use of the Committee on Appropriations.

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

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

Resolved, That there be printed with illustrations as a Senate document a report entitled "A Review of U.S. Government Operations in Latin America," submitted by Senator ALLEN J. ELLENDER to the Senate Committee on Appropriations on February 2, 1959; and that 2,000 additional copies be printed for the use of that committee.

Mr. JAVITS (for himself and Mr. KEATING) submitted 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 submitted 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 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 whatsoever 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 to 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)

	Age 25	Age 35	Age 45
5-year term \$1,000 insurance			
Metropolitan Life Insurance Co., New York.....	\$5.11	\$6.79	\$11.77
New York Life Insurance Co., New York.....	5.19	6.69	11.04
Northwestern Mutual Life Insurance Co., Wisconsin.....	4.02	5.76	10.15
The Travelers Insurance Co., Connecticut ¹	6.31	7.32	11.76
Average.....	5.16	6.64	11.18
National service life insurance.....	1.09	1.20	5.00
Ordinary life, \$1,000 insurance			
Metropolitan Life Insurance Co., New York.....	\$15.21	\$20.60	\$29.21
New York Life Insurance Co., New York.....	13.69	18.71	26.53
Northwestern Mutual Life Insurance Co., Wisconsin.....	13.16	17.83	25.69
The Travelers Insurance Co., Connecticut ¹	15.13	20.70	30.48
Average.....	14.29	19.46	27.98
National service life insurance.....	8.86	14.35	23.13

¹ 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 \$10,000 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 a flat \$6 per policy.

The savings are not as 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 \$143.50 for National Life Insurance. The savings in almost every case would be at least 20 percent, 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.

In 1958 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 see fit 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 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, FULBRIGHT, GREEN, GRUENING, HENNING, HUMPHREY, JACKSON, JAVITS, JORDAN, JOHNSTON of South Carolina, KEATING, KEFAUVER, KENNEDY, KUCHEL, LANGER, MAGNUSON, MANSFIELD, MARTIN, MUSKIE, MCCLELLAN, MCGEE, McNAMARA, MORSE, MOSS, MUNDT, MURRAY, NEUBERGER, O'MAHONEY, PASTORE, PROXMIER, PROUTY, RANDOLPH, SMATHERS, SMITH, SPARKMAN, SYMINGTON, THURMOND, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of North Dakota), was received, read twice by its title, and referred to the Committee on Finance.

PROHIBITION OF FREE OR REDUCED RATE TRANSPORTATION TO CERTAIN GOVERNMENT OFFICIALS AND EMPLOYEES

Mr. WILLIAMS of Delaware. **Mr. President**, I introduce for appropriate reference, a bill, the purpose of which is to prohibit the granting of free or reduced rate transportation to any official or employee of the U.S. Government traveling as a passenger on any ship sailing under the American flag in foreign commerce or in commerce be-

tween the United States and its possessions.

This bill does not affect the right of the U.S. Government to contract with these same shipping companies for reduced rate costs involving the transportation of military or civilian personnel when such employees are traveling on official business and when such transportation costs are being paid by the U.S. Government.

This bill would restrict, however, any shipping company from giving to any official or employee of the U.S. Government or to any member of that employee's immediate family free or reduced transportation rates below those rates which are offered to the general public.

This bill would not prevent a Government employee or any member of his family from traveling by ship at regular excursion rates when such excursion rates are open to the general public.

Several years ago, a law similar to this was enacted which prevents the American railroads and the American airlines from giving public officials special rates.

When we consider that these same shipping companies are being subsidized in their operations by the U.S. Government and when we consider that in some instances those Government employees who are receiving the reduced or free transportation are also making the decisions upon the amount of subsidy these companies get, there is no question that this bill should be passed.

When a Government official receives reduced rates or free transportation below that of the general public from a subsidized shipping company, it means that shipping company's subsidy request will of necessity be increased by a comparable amount; thereby, indirectly, the American taxpayers are being charged for these free or reduced fares.

I am not charging that decisions of public officials have been or would be influenced by special rates granted by these shipping companies, but let us be realistic—it could happen, and it is a bad policy.

Only recently, severe public criticism was rendered because a Government official had accepted free hotel service in substantial amounts from a private citizen, and many Members of Congress were very critical of that action—and rightly so. But what is the difference in a Government official's accepting subsidized hotel facilities on land or in his accepting subsidized facilities on water?

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

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

The bill (S. 1114) to regulate the granting of free or reduced-rate transportation of employees of the U.S. Government by common carriers 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, re-

ferred 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 subject to the Shipping Act of 1916, as amended; the Merchant Marine Act of 1936, as amended; or any other Act; shall directly or indirectly issue any ticket or pass for the free or reduced-rate transportation to any official or employee of the United States Government (military or civilian) or to any member of their immediate families, traveling as a passenger on any ship sailing under the American flag in foreign commerce or in commerce between the United States and its Territories and possessions; except that this restriction shall not apply to persons injured in accidents at sea and physicians and nurses attending such persons, and persons rescued at sea, and except that this restriction shall not apply to persons referred to in section 405(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1145(B)), relating to steamship companies carrying mails of the United States; *Provided further*, that nothing in this Act shall prevent the U.S. Government from entering into contractual arrangements with said companies for reduced transportation rates involving the traveling expenses of those Government employees (military or civilian) when such transportation costs are paid for by the United States Government.

SEC. 2. Any person or corporation who knowingly violates this Act shall upon conviction thereof be fined not less than \$500 nor more than \$10,000 at the discretion of the court for each such violation.

AMENDMENTS OF FAIR LABOR STANDARDS ACT OF 1938

Mr. GOLDWATER. **Mr. President**, I introduce for appropriate 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 the industry committees, and I ask unanimous consent that the bill and an explanation of the bill be printed in the RECORD.

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:

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 "Fair Labor Standards Industry Committee Amendments of 1959."

SEC. 2. Subsection (c) of section 5 of the Fair Labor Standards Act of 1938, as amended, is amended by striking out the words "procedure to be followed by the committee" in the last sentence and inserting in lieu thereof the words "procedures to be followed by the committee and on review of its recommendations by the Secretary pursuant to section 8(d)."

Sec. 3. Section 8 of such act is amended by striking out the last sentence of subsection (d) and inserting in lieu thereof the following: "Upon the filing of such report, and not more than 30 days after the filing of the transcript of the record of such committee upon which the report was made, the Secretary shall publish such recommendations in the Federal Register and shall provide by order that the recommendations contained in such report shall take effect upon the expiration of 15 days after the date of such publication, unless he finds that the recommendations were not made in accordance with law, are not supported by the evidence in the record of the industry committee, or, taking into consideration the same factors as are required to be considered by the industry committee, will not carry out the purposes of this section, in which event he shall, by order issued within such 30-day period, disapprove such recommendations. If the Secretary disapproves such recommendations, he shall promptly refer the matter to the industry committee which made them, or to another industry committee for such industry (which he may appoint for such purpose), for further consideration and recommendations."

Sec. 4. Subsection (a) of section 10 of such Act is amended by striking out the seventh sentence of the subsection and inserting in lieu thereof the following: "Such industry committee may modify the initial findings by reason of the additional evidence so taken, and the Secretary shall file with the court such modified or new findings which if supported by substantial evidence shall be conclusive, and shall also file its recommendation, if any, for the modification or setting aside of the original order, together with any findings of the Secretary on review thereof which would require his disapproval of such recommendation under the provisions of section 8(d)."

Sec. 5. The term "Secretary" as used in this Act and in amendments made by this Act means the Secretary of Labor.

Sec. 6. The amendments made by sections 3 and 4 of this Act shall be applicable to any industry committee findings or recommendations under the Fair Labor Standards Act of 1938, as amended, pending before the Secretary of Labor, and any actions under that Act pending before any such committee, on or after the effective date of this Act.

The explanatory statement presented by Mr. GOLDWATER is as follows:

STATEMENT IN EXPLANATION OF THE FAIR LABOR STANDARDS INDUSTRY COMMITTEE AMENDMENTS OF 1959

The attached bill would amend the Fair Labor Standards Act to provide for review by the Secretary of Labor of the minimum-wage recommendations of the industry committees. It is designed to carry out a recommendation made by the President when he signed the enrolled enactment of the American Samoa Labor Standards Amendments of 1956. The proposal embodied in the bill is a part of the legislative program of the Department of Labor.

EFFECT OF RECENT AMENDMENTS TO THE ACT

Prior to the 1955 amendments to the Fair Labor Standards Act, the wage rate recommendations of the tripartite industry committees in Puerto Rico and the Virgin Islands were subject to review by the Secretary of Labor. After affording interested persons an opportunity to be heard, he was directed by the statute to accept these recommendations, provided they were in accordance with law and supported by the evidence. If the Secretary disapproved the recommendations, he was directed to refer the matter back to the industry committee, or another industry committee for such industry, for further consideration.

The 1955 amendments to the act abolished these safeguards. They required the Secretary to provide by order that the industry committees' recommendations shall take effect 15 days after they are published in the Federal Register, with no authority in the Secretary to review the recommendations. They also required that the minimum rates of wages established in accordance with this procedure be reviewed by the committees at least once each fiscal year. The 1956 amendments to the act provided procedures for adjusting minimum wage and overtime pay standards in American Samoa, by adopting the special industry committee procedures for establishing minimum wage rates in Puerto Rico and the Virgin Islands. In 1958, the industry committee provisions of the act were amended, as recommended by the Department, to provide for biennial rather than annual review of industry committee rates (Public Law 85-750). In addition to providing for biennial review, the Department also proposed that the act be amended to provide for review by the Secretary of Labor of the minimum wage recommendations of industry committees. However, no action was taken by the 85th Congress on this latter proposal.

NEED FOR REVISING THE PRESENT PROVISIONS OF THE ACT

The present industry committee provisions of the act run counter to good principles of Government administration. They place authority to determine 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 committee's actions are contrary to the statutory standards or cause hardship, aggrieved persons have no official to whom they can complain and obtain a remedy. Their only recourse is through appeal to the courts, in which event the Secretary of Labor must defend the wage order recommended by the committee and promulgated by him under a statutory provision requiring him, without review, to rubber-stamp their action through a formal order.

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 attorneys in view of Supreme Court decisions which, it has been urged, show that the present Puerto Rican provisions are invalid as an unconstitutional 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 industry committee, file with the court the new or modified findings in connection with a second hearing. It is also desirable to amend this provision so that the court has the benefit of the same review of the second recommendation as of the first.

PROPOSED LEGISLATION TO AMEND THE ACT

Section 5(c) of the act would be amended by the attached bill to require the Secretary of Labor to prescribe, by rules and regulations, the procedures to be followed by him in reviewing the minimum wage determinations of the industry committees. Under this provision the Secretary could provide orderly procedures for review.

Section 8(d) would be amended to give the Secretary of Labor 30 days from receipt of the transcript of the record upon which

the industry committee's report was made in which to issue the wage order carrying the committee's recommendations into effect or in which to disapprove the recommendations. If the wage order is issued, the recommendations would take effect upon the expiration of 15 days after the date of issuance, as at the present time. The Secretary would be required to approve the recommendations unless he finds that they were not made in accordance with law, are not supported by the evidence in the record of the industry committee or, taking into consideration the same factors as are required to be considered by the industry committee, will not carry out the purposes of this section.

If he disapproves the recommendations, he would be 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. The tests of disapproval and the disposition of the matter when he disapproves follow the pre-1955 language of the act.

Section 10(a) of the act would be amended to require the Secretary, rather than the industry committee, to file with the court the modified or new findings made by the committee in connection with matters referred back to the committee by the court for the purpose of adducing additional evidence. The Secretary would also be required to file the committee's recommendation, if any, for modifying or setting aside the original order and any findings of the Secretary on review which would require his disapproval of such recommendations under section 8(d).

Section 5 of the attached bill provides that the term "Secretary" as used in this act and the amendments made by this act mean the Secretary of Labor.

Section 6 of the bill provides that the amendments made by sections 3 and 4 shall be applicable with respect to any committee findings or recommendations under the Fair Labor Standards Act pending before the Secretary, and any actions under that act pending before such committee, on or after the effective date of this act.

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 in a university, this school 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 numbers 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 are a part 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 1952.

We are all aware of the reasons 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 expansion of hospital 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 in their homes; we 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 financing of nursing education.

While education for other professions has long been centered in colleges and universities, the majority of nursing education has been and continues to be the responsibility of hospitals. There it is financed largely by students through their service to the hospital and through their fees. It is not reasonable to expect that we can forever continue to meet the needs of nursing education in this manner. Graduates from collegiate programs have been increasing slightly, but not nearly at the rate we need. If the nursing profession is to continue to attract the high caliber of young people it must have for our benefit, opportunities for nursing education in colleges and universities must be expanded immediately. The Federal Government must play its part. The critical shortage of highly skilled professional nurses is a serious national problem. It must be dealt with promptly.

The magnitude of the problem becomes more evident when we consider what our needs would be in the event of a national emergency. Good sense demands that we pay some attention to our requirements for health personnel in the event of war. Preparation for such a disaster requires the skills of organiza-

tion, management, and teaching which fall within the practice of the professional nurse.

My bill has three major parts which would facilitate the immediate expansion of collegiate education in nursing.

First. It provides for grants to schools to assist with the cost of building and equipping needed classrooms, offices, libraries and laboratories.

Second. The bill provides for grants to schools of nursing to help meet the cost of instruction.

Third. The bill provides for scholarship aid to able young people who would not otherwise be able to enter the nursing profession. Qualified graduates of diploma schools of nursing would be eligible for such scholarships to enable them to further their nursing education. There are many graduates of the hospital diploma schools who need financial assistance in order to undertake advanced study. We cannot afford to waste these potential leaders in our health services.

For too long we have neglected to provide adequate financial support for nursing education. We have cried for more nurses without making it possible for our colleges and universities to provide education for this profession which is so essential to the health of all of us.

A companion bill, H.R. 1251, has been offered in the House of Representatives by Mrs. GREEN of Oregon. Mrs. GREEN is recognized for her untiring devotion to the cause of education. Prior to her election to the Congress she served as a teacher, and as a Member of the House of Representatives she has served with distinction on the Education and Labor Committee. It is indeed an honor and a privilege to join with her in introducing this Collegiate Nursing Education Act of 1959.

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

The bill (S. 1118) to authorize a 5-year program of grants and scholarships for collegiate education in the field of nursing, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF DAVIS-BACON ACT, RELATING TO PAYMENT OF PREVAILING WAGES ON FEDERAL CONSTRUCTION WORK

Mr. HUMPHREY. Mr. President, on behalf of myself and the senior Senator from Michigan [Mr. McNAMARA] I introduce a bill to amend the so-called Davis-Bacon Act, relating to the payment of prevailing wages on Federal construction work. This law was first enacted in 1931 and was considerably revised in 1935 to represent what was then a comparatively effective instrument for preventing the purchasing power of the Federal Government from undermining existing labor conditions in the construction industry.

Since 1935, however, experience has revealed many drawbacks in the framework for administering the Davis-Bacon Act. In fact changing conditions in the construction industry, and in methods of Federal financing have required a new

look at the way the act operates today. That is the purpose of this bill—namely, to provide a basis for taking a new and more realistic look at the Davis-Bacon Act.

May I say at the outset, that major defects in the Davis-Bacon Act have become apparent over the years.

First, administration: It has been shown time and time again that the Secretary of Labor does not possess the necessary authority and responsibility to see that the Davis-Bacon Act is properly enforced. No right to enter and inspect for violations now exists, as it does under similar labor standards laws such as the Walsh-Healey Public Contracts Act and the Fair Labor Standards Act, granting the Secretary of Labor full power to investigate to see that these other laws are complied with. Furthermore, the Davis-Bacon Act now fails expressly to center in the Secretary the duty to find violations and to bar contractors from Government work for the prescribed 3-year period. Instead, these powers rest in the contracting officer or in the Comptroller General, with resulting failure in effective enforcement due to resulting diffusion of responsibility.

Second, wage determinations: Since 1935 the Secretary of Labor has confined himself to determining the basic hourly wage rate as the only prevailing rate required by the act. Nowadays, however, this basic hourly wage rate falls far short of reflecting the actual hourly labor costs on construction jobs. Collective agreements throughout the industry now cover many additional payments for the welfare of workers—payments which did not exist in 1935. For example, most agreements in many areas of the country now provide for payments, on an hourly or payroll basis, to so-called health and welfare funds, so as to provide much-needed sick and hospital and medical benefits to construction workers and their families. Payments are also frequently required to be made to pension funds, to vacation funds, and to supplementary unemployment benefit funds. Many agreements also require payments to various training funds of direct benefit to journeymen and apprentices whose skills are the lifeblood of the construction industry and the mainstay of those who depend upon this great industry for their livelihood.

Recent surveys have shown that the payments to these funds are not only a substitute for direct wage increases which workers would otherwise have received as a part of their basic hourly wage rate but, in addition, that these payments now are a very large part of the hourly wage costs in the construction industry.

In the plumbing and pipe-fitting branches of the construction industry alone, there are funds in more than 68 of 100 cities surveyed by the U.S. Department of Labor. Payments to these funds run as high as 46½ 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 in and day out the Department of Labor is telling the various contracting agencies that the prevailing rate, in one area after another, is as much as 12 percent less than the actual rate. Day after day the Department of Labor is extending an open invitation to outside contractors to bring low wages and cheap labor into higher wage communities, because these lower 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" benefit payments are overtime and premium pay provisions now prevailing in most labor market areas across the country. These payments, and, in fact, all overtime and Sunday or holiday work were practically unheard of on Government work in 1935. Both the depression and the rigid 8-hour law combined to restrict all work to straight time hours during the normal working day.

But times have changed. The construction industry has been booming ever since the beginning of World War II and the 8 hour laws have been waived on Government work wherever time and one-half is paid for overtime work each day. Common practice in almost all major cities in the country has been to pay double the straight time rates for 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 of the Federal Government. All other types of Federally assisted construction have not been protected by the Davis-Bacon Act, except in those cases where the act has been extended on a spot basis to cover special Federal aid programs. Examples of this type of extension are the Hospital Survey and Construction Act—grants to States and local organizations for hospitals—the Federal Airport Act—grants to local agencies for airport construction—and various Federal housing acts—insuring loans or otherwise aiding multiple housing projects constructed locally. These extensions have been made largely on a "hit or miss" basis.

When the Davis-Bacon Act first became law, Federal aid to local construction did not exist the way it does today. At that time it was not important to cover all Federally assisted construction. Nowadays, however, a very large share of the Federal construction dollar is spent by means of various types of grants, loans, payments, or guarantees

given 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. Broaden the coverage of the present act by adding to the present coverage (a) all nonfarm construction in excess 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 or guaranteed loans for the purpose of financing any nonfarm construction program other than housing developments of less than 10 units.

Second. The term "prevailing wage" modernized: 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 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 Government 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 not less than time and one-half for hours worked over 8 per day, over 40 hours per week, over 5 consecutive days and on Saturdays, Sundays, and the holidays.

Fourth. Enforcement centralized and Construction Appeals Board created: Under this particular amendment, the Secretary of Labor would have: (a) Authority to make uniform enforcement procedures for all Federal Government contracting agencies; (b) direct power—including the use of subpoena—to investigate violations; and (c) authority to apply violation penalties, including authority to blacklist.

In addition this bill provides for the creation of a Construction Appeals Board appointed by the President consisting of one representative from the public, one from contractors, and one from labor. This three-man independent board would be required to speedily review and issue final decisions on appeal from the (a) Secretary's wage predeterminations, and (b) the Secretary's findings of violations.

These four major amendments are necessary so that Federal money will not be used to destroy prevailing wages, hours of work and working conditions, and to eliminate the present bidding advantage of unfair contractors in those areas where union building trades conditions are in fact the prevailing practice.

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

The bill (S. 1119) to amend the Davis-Bacon Act and for other purposes, introduced by Mr. HUMPHREY (for himself and Mr. McNAMARA), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

RESERVES REQUIRED TO BE MAINTAINED BY MEMBER BANKS OF FEDERAL RESERVE SYSTEM

Mr. ROBERTSON. Mr. President, on behalf of myself, the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Indiana [Mr. CAPEHART], I introduce, for appropriate reference, a bill to amend the provisions of the Federal Reserve Act concerning member bank reserves. I ask unanimous consent to have printed in the RECORD at this point a brief explanation of its provisions.

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

The bill (S. 1120) to amend section 19 of the Federal Reserve Act with respect to the reserves required to be maintained by member banks of the Federal Reserve System against deposits, introduced by Mr. ROBERTSON (for himself, Mr. FULBRIGHT, and Mr. CAPEHART), was received, read twice by its title, and referred to the Committee on Banking and Currency.

The explanatory statement presented by Mr. ROBERTSON is as follows:

STATEMENT BY SENATOR ROBERTSON

The bill would make three changes in present law: (1) It would authorize the Federal Reserve Board to permit member banks to include all or part of their vault cash holdings in their required reserves; (2) it would change the reserve requirement for demand deposits of central reserve city banks from the present range of 13 to 26 percent to a range of 10 to 20 percent, the same range as reserve city banks; and (3) it would give the Board more flexible authority to permit individual member banks in central reserve or reserve cities to carry reserves at the lower requirement levels specified for reserve city or country banks.

The Federal statutes relating to bank reserves have been the subject of discussion for many years. There have been numerous changes in these provisions, reflecting changing needs and circumstances. The provisions now in the law come largely from the Banking Act of 1935.

Under the National Banking Act, before the establishment of the Federal Reserve System, bank reserves were considered important primarily from the point of view of liquidity, to provide cash for depositors who wished to withdraw funds. The National Banking Act provided a pyramidal system under which banks in three central cities were required to keep a cash reserve equal to 25 percent of their deposits. Banks in 47 reserve cities were required to keep reserves equal to 25 percent of their deposits, half in cash, while half might either be in cash or on deposit in central reserve city banks. Country banks were required to keep reserves equal to 6 percent of deposits in the form of vault cash, and an additional amount equal to 9 percent of the deposits either as vault

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 reserve 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 bank for the appropriate district. The amount of these reserves was specified in the act, as amended in 1917, as 3 percent for time deposits. For demand deposits, the act specified 7 percent for country banks, 10 percent for reserve city banks, and 13 percent for central reserve city banks. The Federal Reserve Board could designate the central reserve and reserve cities, and in addition could, by a 1918 amendment, lower the reserve classification of individual member banks in central reserve and reserve cities.

By emergency provisions in the Banking Act of 1933, and by general authority in the Banking Act of 1935, the Federal Reserve Board was given power to vary these reserve requirements. The Banking Act of 1935 authorized the Board to set reserve requirements from time to time within the following limits, in order to prevent injurious credit expansion or contraction:

Time deposits, 3 to 6 percent.

Demand deposits: Country banks, 7 to 14 percent; reserve city banks, 10 to 20 percent; central reserve city banks, 13 to 26 percent.

This authority to raise or lower reserve requirements gave the Federal Reserve Board a major new device to carry out monetary policy.

At the present time, the reserve requirements, and especially the authority of the Board to change the requirements within the statutory bounds, are considered of relatively little significance from the point of view of liquidity, and of primary significance as a device to control credit and to effectuate monetary policy. The original significance of the central reserve and reserve cities under the National Banking Act, is entirely gone.

It is appropriate, therefore, to review section 19 of the Federal Reserve Act, in the light of the primary function of the reserve requirements as a measure of monetary policy. The principal factors in this review should be those covered by this bill—use of vault cash to meet reserve requirements; closer coordination of the central reserve and reserve city reserve requirements; and greater flexibility in handling exceptional banks in central reserve and reserve cities.

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 also 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, urban civilization includes also a regard for the preservation of some areas of our land still wild and natural, unspoiled as primeval wilderness.

A CHALLENGING OPPORTUNITY

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.

It has seemed apparent that by acting now and dealing with areas already in public ownership and within our national parks, forests, and wildlife refuges we can accomplish a wilderness preservation program without sacrificing other advantages or damaging other interests.

A COOPERATIVE PROPOSAL

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. This was a cooperative proposal for preserving wilderness within an overall program which would respect other needs also.

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 administering 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 guarantee 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 in the program of its particular administering agency, 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, few seemed 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 BRING 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, reprints of his remarks also were obtained and distributed, including likewise the full text of the bill.

Many letters in support of the measure were received from all parts of the country.

Representative SAYLOR had excerpts from these letters prepared in a compilation which he kindly permitted me to have printed in the CONGRESSIONAL RECORD, on February 11, 1957, the date on which I introduced the wilderness bill—S. 1176—to the 85th Congress and urged its enactment.

EXTENSIVE HEARINGS HELD

In June of 1957 hearings held on the wilderness bill in both Senate and House revealed further the strong public interest in seeing the proposal adopted. These hearings also brought out the criticisms and suggestions of the Forest Service, the National Park Service, and those who had previously opposed the bill.

As a result of these criticisms and suggestions the bill was carefully revised in two successive committee prints, and then with a few additional changes reintroduced last June 18 as S. 4028.

When conservationists were informed of this reintroduction last June they wrote many letters urging that the measure be enacted by the 85th Congress.

At the hearings on the new measure held here in Washington, D.C., on July 23, both the Department of Agriculture and the Department of the Interior, as well as the Bureau of the Budget, commended the bill as desirable legislation and outlined their few remaining objec-

tions and their suggestions for amendment.

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 demonstrated further the broad public support that the wilderness 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 consent to have the actual text of a sample of such writings included in the CONGRESSIONAL 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 proposal 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 objections and criticisms; and endorsed by a deeply interested, informed, and aroused public opinion.

A proposal that in its very beginnings sought to avoid any disruption of established 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 forests, parks, and refuges, a bill that damages 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. President, 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 Oregon [Mr. NEUBERGER], 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, ALEXANDER WILEY, HARRISON A. WILLIAMS, JR., and HUGH SCOTT, I introduce for appropriate reference, a bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

COMMERCIAL INTERESTS NOT DAMAGED

I feel, Mr. President, that I can indeed assure the Senate that commercial interests will suffer no damage whatever by this program.

None of us here in the Senate need fear that after the enactment of this measure the commercial interests, whom we all respect and value, will come to us and complain that they have been hurt. None of them will suffer damage.

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

No lumber company could at present log any of the areas of wilderness protected by this measure without first encountering such a public protest against invading a protected area that the controversy over this bill would seem mild.

For the wilderness bill relates to Federal lands in parks, refuges, or in some other special status in which they already are removed from commercial availability.

LIVESTOCK INTERESTS PROTECTED

The opposition of livestock interests is similarly without basis in the provisions of this bill.

A special provision safeguards the continuation of the grazing that is now established on national forest land to be included in the wilderness system.

The provisions of the bill protect existing private rights and also provide safeguards against damage to the established projects of oil, gas, and mineral interests. Furthermore, the bill takes 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 reservoir 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 safeguarded in this 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 representatives 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 resources.

In the first place, all the wilderness lands involved make up less than 2½ 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 enlargements. It is a process that requires 90 days' public notice of any such proposal, by the agency involved, whenever the agency is ready to act or consider action. This notice must be followed by a hearing if there is a demand for the hearing. And finally, after 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.

AVOIDING DAMAGE IS A PURPOSE OF THE BILL

Thus it seems to me plain that the policy and program 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 deliberate 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 wilderness 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 wilderness 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 such and under 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 wilderness preservation will be an aspect of its management for some other concurrent purpose.

A MULTIPLE-PURPOSE WILDERNESS PROGRAM

This is a multiple-purpose wilderness program. The areas within the National park system will continue to be administered for the use and enjoyment of the people. The refuge areas included will continue to be administered, not for recreation as in parks, 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, consistent purposes.

A great deal has been said about multiple use in the discussions of the wilderness 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 phraseology 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 being preserved as wilderness 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 multiple 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 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 the 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 in Congress who are vitally 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 this 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 in our present circumstances than 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 poor planning.

THE TEST AHEAD OF US

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 “the depletion 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 time together.”

It may be 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 man in his oldest and most grievous misfortune—

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 do our best 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 also 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, it is so ordered.

Mr. HUMPHREY. I ask unanimous consent that a detailed explanation of this bill be inserted at this point in the RECORD—exhibit A—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 magazine and newspaper articles, editorials and reports.

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

The bill (S. 1123) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, intro-

duced by Mr. HUMPHREY (for himself, Mr. NEUBERGER, Mr. BYRD of West Virginia, Mr. CLARK, Mr. DOUGLAS, Mr. LANGER, Mr. MUNDT, Mr. LAUSCHE, Mr. MANSFIELD, Mr. MARTIN, Mr. MORSE, Mr. MURRAY, Mr. PROXMIER, Mr. RANDOLPH, Mrs. SMITH, Mr. WILEY, Mr. WILLIAMS of New Jersey, and Mr. SCOTT, was received, read twice by its title, and 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 wish to express my appreciation to these 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 conservation of the primeval 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 congressional action, as in the national parks, 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 now 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. The 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.

While 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 statutory 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 parts of the forests have their highest and best use as wilderness.

A revision in this section removes the declaration that wilderness shall be paramount 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 is thus the "policy" section, setting forth principles and purpose.

SUBSECTION 1 (A)

Subsection (a) of the opening section in addition to establishing a National Wilderness Preservation System points out the public purposes: "Recreational, scenic, educational, conservation, and historical use and enjoyment."

SUBSECTIONS 1 (B) AND 1 (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, national wildlife refuges, or 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, logging, or farming, 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 all beneficial vegetative cover," is especially important. This provides for fire control and measures, such as hunting, to keep big game herds in control.

Subsection (e) defines "wilderness," a term that holds different meanings for different people: a 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 designated in section 2.

THE WILDERNESS SYSTEM

Section 2 states that the wilderness system shall comprise (subject to existing private rights, if any) the federally owned or controlled areas of land and water provided for in this section. The section has six sub-headings:

SUBSECTION 2 (A). NATIONAL FOREST WILDERNESS

(a) National forest areas: Areas within the national forests, classified as of June 1, 1958, as wilderness, wild, primitive, or roadless, are included, with the proviso that the Secretary of Agriculture must within 20 years make such boundary modifications of the primitive areas as to exclude any portions not predominantly of wilderness value or add adjacent national forest lands which he determines to be predominantly 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 the important investigations involved, 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 also 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 Congress, has already set aside portions of national forests for wilderness preservation.

When first marked out for protection and study, such an area has been called primitive. Next the Service studies the area, revises the boundaries if necessary, and puts 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 canoe country of Minnesota that have been given the special designation of roadless areas, and are now grouped as the boundary waters canoe area.

There are now 44 primitive areas in the national forests, with a total of 8,355,983 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 1,038,743 acres.

Altogether the primitive, wilderness, wild, and roadless areas total 14,395,971 acres. This is 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 must be restricted anyway to protect the watersheds.

SUBSECTION 2 (B). NATIONAL PARK SYSTEM AREAS

(b) National park system areas: The procedures for the national parks are similar to those for national forest areas, but they differ technically, because already, by statute, the parks are dedicated to a related preservation purpose.

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 visitors and 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 a statement prepared 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 roads, buildings, and other facilities needed to accommodate park visitors. If the Secretary (National Park Service) has not completed the mapping job within 10 years, any national park or monument containing 5,000 acres or more of roadless country would become a part of the wilderness system.

Wilderness preservation has been an established policy that the National Park Service also has developed under acts of Congress creating the national park system.

SUBSECTION 2 (C). REFUGES

(c) National wildlife refuges and ranges: Recognizing that not all wildlife refuges and ranges are properly wilderness areas, even though they protect wildlife, the bill provides in this subsection that the Secretary of the Interior include such refuges and ranges, or portions thereof, as he determines proper.

The Secretary will have 5 years within which to make a survey of the refuges and ranges, before he makes this determination.

Only the larger areas would qualify, and even if they were large enough, any areas where water levels and vegetation are artificially controlled or manipulated to produce food and cover for wildlife would not qualify as wilderness.

These are good refuges but not necessarily wilderness.

Only about 20 of the 275 national wildlife refuges and ranges would be in the wilderness system.

SUBSECTION 2 (D). THE INDIANS' WILDERNESS

A way is provided in subsection (d) for establishment of wilderness areas on Indian reservations if the Indians so wish.

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 done with the Indians' wilderness must be with their consent.

In S. 4028 last summer the wilderness bill, in response to earlier criticisms, was changed to give authority to the Secretary of the Interior to establish wilderness areas on Indian reservations after "consultation" with the Indians. 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 visitors and more cash than would be derived from any other kind of exploitation.

Finally, some of these Indian areas are contiguous to similar areas in national forests or national parks. If these Indian areas are not properly managed, the results could be disastrous for watershed protection and for scenic and other values.

SUBSECTION 2 (E). OTHER UNITS

It is conceivable that some other Federal agency, such as the Defense Department, might own or control an area suitable for inclusion in the Wilderness Preservation System. There are a few areas of true 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 2(F). ADDITIONS OR OTHER CHANGES

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

The changes 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 (f) 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 it.

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, in accordance with these rules, but Congress 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 primitive in the national forests or not already included within national parks or wildlife refuges.

Additions could be made only through a prolonged, 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 use by the public. This section also, in subsection 3(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 USES

Subsection 3(b) prescribes certain general requirements for the maintenance of wilderness.

No permanent roads, no use of motor vehicles, motorized 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 or special 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) recommenda-

tions made at the July 23, 1958, hearings, another special provision authorizes such measures within national forest areas as may be necessary in the control of insects and diseases, subject to conditions deemed desirable by the Secretary of Agriculture.

This subsection in paragraph 3(c)(2) authorizes the President to open specific areas in the national forests for prospecting, mining, or construction of reservoirs and water-conservation works if he finds 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 prior special legislation and administrative orders.

Paragraph 4 of these special provisions deals with existing uses on wildlife refuges and ranges. It clearly authorizes the continuation of such uses as are authorized in the Executive order or the legislation establishing such unit.

Paragraph 5, the last in this section, contains language vital to colleagues from the West.

When the first wilderness bill was being discussed, some people felt that its enactment would change existing water laws and would deprive local communities of water, both domestic and irrigation. Although this was certainly not the intention of the sponsors, a short sentence was inserted to remove any doubts. The sentence says:

"Nothing in this act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws."

More lenient than some have thought

This section 3 which spells out the permitted uses of the wilderness areas, is more lenient than many have been led to believe.

It does say, in subsection (b), that use of roads, motor vehicles, motorized equipment, 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 parks, of course, have always been closed to hunting, by law, although fishing is permitted. Certain wildlife refuges also are closed to hunting under law. 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 such restrictions as the Chief of the Forest Service deems desirable, but this would not be adding anything new here, because the Forest Service now has the authority to make such restrictions.

The Secretary of Agriculture may permit such measures 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 and mining, or permit reservoir construction, in the national interest, including the essential road construction involved.

3. The laws and regulations now in force for the roadless areas in Minnesota are reaffirmed. Where motorboats are now permitted, their use may be continued.

4. Where mineral leasing 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 wilderness areas.

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 are staggered, 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 for maps, official papers, and data about the Wilderness System, and it is authorized to coordinate and disseminate information.

The Council is required to present 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, so that no new fiscal machinery need be established.

Section 4(b), which refers to sending the Council copies of regulations for the proper use of wilderness, was formerly a paragraph of section 3(a). It has been transferred in order to have in one section everything that concerns the Council, and especially to make sure that readers interested in the Council, pro or con, will not miss the clear-cut provision that the Council shall have no administrative jurisdiction over any unit of the Wilderness System nor over any agency that does have such jurisdiction.

Another revision, one suggested by the Forest Service spokesman at the July 23, 1958, hearings, provides that each of the Cabinet members on the Council may designate an alternate to serve for him.

Still another change provides that the Council may make surveys—instead of shall make—and may encourage the coordination of such surveys, instead of being required to coordinate.

Some people contend that the Council would be a superagency interfering with the administrative agencies, such as the Forest Service and Park Service, that have responsibility for managing the areas.

The Council would have absolutely no administrative jurisdiction over any area of land. It could issue no orders to, nor countermand any orders of, any agency of government.

Its duties would be factfinding, informational, and advisory only.

Nor would its advice be required. No administrative agency would have to consult this Council before taking any action it wished to take.

The Council would provide a central place where any citizen or any Congressman could go to find out about wilderness areas and wilderness policy, without having to wade through the redtape of 4 or 5 separate bureaus in 2 or more executive departments.

SECTION 5

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 who 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 for public use:

1. It establishes wilderness preservation as a policy of Congress and applies this policy to areas of land, such as parks, national forest, and refuges, where wilderness preservation fits in with other programs.

2. It makes it impossible for a bureau chief or Cabinet officer to abolish a wilderness area, reduce it in size, or add to it, merely by affixing his signature to an Executive order.

3. It gives the general public—the people who own the public lands—a voice in saying what shall be done with the wilderness areas. This voice would be exercised in two ways—at public hearings, and through elected representatives in Congress.

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

EXHIBIT B

S. 1123

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

Be it enacted 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. As hereinafter provided, this System shall be composed of federally owned or controlled areas in the United States and its Territories and possessions, retaining their primeval environment and influence and being managed for purposes consistent with their continued preservation as wilderness, which areas 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 expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States, its Territories, and possessions except those that are designated for preservation and protection in their natural condition. The preservation of such designated areas of wilderness is recognized as a desirable policy of the Government of the United States of America for the health, welfare, knowledge, and happiness of its citizens of present and future generations, particularly for those uses of such areas that facilitate recreation and the preservation or restoration of health.

(c) It is accordingly declared to be the policy of Congress (1) to secure the dedication of an adequate system of areas of wilderness to serve the recreational, scenic, scientific, educational, conservation, and historical needs of the people, and (2) to provide for the protection of these areas and for the gathering and dissemination of information regarding their use and enjoyment as wilderness. Pursuant to this policy the Congress gives sanction to the continued preservation as wilderness of those areas federally owned or controlled that are within national parks, national forests, national wildlife refuges, or other public lands, and that have so far retained under their Federal administration the principal attributes of their primeval character. It is pursuant to this policy and sanction that the National Wilderness Preservation System is established. The units of this System designated for inclusion by this Act, and those that may later be designated in accordance with its provisions, shall be so protected and ad-

ministered as to preserve their wilderness character.

(d) In establishing thus a National Wilderness Preservation System to include units within the national forests it is further declared to be the policy of Congress to administer the national forests with the general objectives of multiple use and sustained yield, and in order to carry out this policy the Secretary of Agriculture is accordingly directed to administer the national forests 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 the establishment and maintenance of wilderness areas, for the benefit of all the people of this and future generations. Such areas of wilderness, like all other national forest land, shall be so managed as to protect and preserve the watersheds, the soil, the beneficial forest and timber growth, and all beneficial vegetative cover. The purposes of this act are further declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the act of June 4, 1897 (30 Stat. 34, 35; U.S.C. 475, 551).

(e) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. For the purposes of this act the term "wilderness" shall include the areas provided for in section 2 of this act and such other areas as shall be designated for inclusion in the National Wilderness Preservation System in accordance with the provisions of this act.

NATIONAL WILDERNESS PRESERVATION SYSTEM

SEC. 2. The National Wilderness Preservation System (hereafter referred to in this Act as the Wilderness System) shall comprise (subject to existing private rights, if any) the federally owned or controlled areas of land and water provided for in this section and the related airspace reservations.

NATIONAL FOREST AREAS

(a) The Wilderness System shall include as wilderness areas the areas within the national forests classified on June 1, 1958, by the Department of Agriculture or the Forest Service as wilderness, wild, primitive, or roadless.

Provided, That the Wilderness System shall not include any primitive area which the Secretary of Agriculture shall determine to be not predominantly of wilderness value, and each primitive area included in the Wilderness System shall be subject to such boundary modification as the Secretary shall determine to be needed to exclude any portions not predominantly of wilderness value or to add any adjacent national forest lands that are predominantly of wilderness value. Determinations regarding national forest areas classified as primitive shall be made within twenty years after the date of this Act, and any such area regarding which such determinations have not been made shall then, with the exception of any roads, motor trails, structures, or other installations then existing, become a part of the Wilderness System without further regard to this proviso.

Additional areas for inclusion in the Wilderness System may be designated within national forests by the Secretary of Agriculture, after not less than ninety days' public notice and the holding of a public hearing, if there is a demand for such a hearing, and such designations shall take effect as provided in subsection (f) below. The publication of a proposal to add any national forest area or part thereof to the Wilderness System shall segregate the public lands involved from any or all appropriations under the

public-land laws to the extent deemed necessary by the Secretary of Agriculture.

NATIONAL PARK SYSTEM AREAS

(b) At the times, in the manner, and with the exceptions hereinafter provided for, the Wilderness System shall include each park and monument in the National Park System on June 1, 1958, embracing a continuous area of five thousand acres or more without roads, and such additional units of the National Park System as the Secretary of the Interior shall prescribe.

Not later than ten years after the date of this Act, or within two years after the unit has been prescribed for addition to the Wilderness System, whichever is later, and ninety days after giving public notice in accordance with section 4 of the Administrative Procedure Act of 1946 (60 Stat. 238; 5 U.S.C. 1003), the Secretary of the Interior shall designate within each unit of the National Park System to be included in the Wilderness System such area or areas as he shall determine to be required for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Each such unit, with the exception of the particular area or areas determined to be required for the aforesaid purposes, shall become a part of the Wilderness System when the designation of such area or areas has been made. Should the Secretary fail to make such a designation within the time limits specified, each such unit shall then become a part of the Wilderness System, with the exception of roads, motor trails, buildings, accommodations for visitors, and administrative installations then in existence.

No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535, as amended; 16 U.S.C. 1 and the following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclusion of any National Park System area within the Wilderness System pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such National Park System areas in accordance with the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C., 1952 edition, sec. 1 and the following), the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such National Park System area, including but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C., 1952 edition, sec. 432 and the following), the provisions of title 16, United States Code, 1952 edition, section 798; and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., 1952 edition, sec. 461 and the following).

NATIONAL WILDLIFE REFUGES AND RANGES

(c) The Wilderness System shall include such wildlife refuges and game ranges, or portions thereof, as the Secretary of the Interior shall designate. Within five years after the date of this Act the Secretary shall survey the refuges and ranges under his jurisdiction on June 1, 1958, and designate for inclusion in the Wilderness System those refuges and ranges, or portions thereof, that he determines to be appropriate. Further, the Secretary shall survey any refuges or ranges added to his jurisdiction after June 1, 1958, to determine if they are, or contain areas that are, suitable for inclusion in the Wilderness System, and shall make such determination and so designate the appropriate refuge, range, or portion thereof, within

two years after the refuge or range is added to his jurisdiction.

Within two years after the designation of any refuge or range in its entirety, and ninety days after giving public notice in accordance with section 4, Administrative Procedure Act of 1946 (60 Stat. 238; 5 U.S.C. 1003), the Secretary of the Interior shall designate within such refuge or range such area or areas as he shall determine to be required for roads and buildings and other installations for administration and protection of the wildlife, which area or areas shall be excluded from the Wilderness System. Should the Secretary fail to make such designation within the time limit specified, the refuge or range shall then become a part of the Wilderness System, with the exception of any road, building, or other installation for administration and protection then existing.

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 recommendation of or with the consent of the tribes, bands, or groups concerned, acting through their tribal councils or other duly constituted authorities. Such designation shall not change title to the land or any beneficial interest therein, and shall not modify or otherwise affect the Indians' rights to the land.

The Secretary of the Interior shall make any addition, modification, or elimination recommended by any tribal council or other duly constituted authority of any tribe, band, or group with regard to any area of its tribal land.

Nothing in this Act shall in any respect abrogate any treaty with any tribe, band, or group of Indians, or in any way modify or 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 use of the lands and waters involved, including any area or areas acquired by gift or bequest by any agency of the Federal Government for preservation as wilderness. The designation of, addition to, or modification or elimination of, such units shall be in accordance with regulations that shall be established in conformity with the purposes of this Act by the official or officials authorized to determine the use of the lands and waters involved, including, but not limited to, provisions for segregating any public lands involved from any or all forms of appropriation under the public-land laws pending addition of such units to the Wilderness System, and shall take effect as provided in subsection (f) below. Such regulations with regard to any privately owned area given or bequeathed to a Federal agency for preservation as wilderness shall be in accordance with such agreements as shall be made at the time of such gift or bequest.

ADDITIONS, MODIFICATIONS, AND ELIMINATIONS

(f) Any proposed addition to, modification of, or elimination from any area of wilderness established in accordance with this act, and any proposed addition or elimination of any unit to or from the Wilderness System, shall be made only after not less than ninety days' public notice and the holding of a public hearing, if there is a demand for such a hearing, and shall be reported with map and description to Congress by the Secretary of Agriculture, the Secretary of the Interior, or other official or officials having jurisdiction over the lands involved and shall take effect upon the expiration of the first period of one hundred and twenty cal-

endar days, of continuous session of Congress, following the date on which the report is received by Congress; but only if during this period there has not been passed by Congress a concurrent resolution opposing such proposed addition, modification, or elimination: *Provided*, That nothing in this Act shall restrict or affect the authority of officials of the United States, acting pursuant to other law, to establish in the manner prescribed by such law, areas of the National Park System, or to make additions, modifications, or eliminations from any area of such National Park System pursuant to such authority. Within any unit of the Wilderness System the acquisition of any privately owned lands is hereby authorized, and such sums as the Congress may approve for such acquisition are hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

USE OF THE WILDERNESS

SEC. 3. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of any national park or monument, national forest, national wildlife refuge, Indian reservation, or other Federal land area involved, except that any agency administering any area within the Wilderness System shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. The Wilderness System shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. All such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

(b) Except as specially provided in this section, and subject to existing private rights (if any), no portion of any area constituting a unit of the Wilderness System shall be used for any form of commercial enterprise not contemplated in the purposes of this Act. 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.

SPECIAL PROVISIONS

(c) The following special provisions are hereby made:

(1) Within national forest areas included in the Wilderness System grazing of livestock and the use of aircraft or motorboats where these 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 such measures may be taken as may be necessary in the control of insects and diseases, subject to such conditions as the Secretary of Agriculture deems desirable.

(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 use in the specific area will better serve the interests of the United States and the people thereof than will its denial.

(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

Sioux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, second session, July 10, 1930, and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, second session, June 22, 1956, as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the same manner as provided in section 2 (a) and (f).

(4) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or range existing on the date of approval of this Act may be continued under such authorization or provision.

(5) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

NATIONAL WILDERNESS PRESERVATION COUNCIL

SEC. 4. (a) The National Wilderness Preservation Council is hereby created, to consist ex officio of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Smithsonian Institution, and also three citizen members to be appointed by the President by and with the advice and consent of the Senate. The Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Smithsonian Institution may each designate an official of his department or institution to serve as his alternate in the Council. The citizen members shall be persons known to be informed regarding, and interested in the preservation of, wilderness; one of them shall be appointed initially for a term of 2 years, one for a term of 4 years, and one for a term of 6 years. After the expiration of these initial terms, each citizen member shall be appointed for a 6-year term. The President shall designate from among the citizen members a chairman, who shall serve for a 2-year term. The Secretary of the Smithsonian Institution shall be ex officio the secretary of the Council and, subject to the Council, shall maintain its headquarters.

(b) Copies of regulations established or issued in connection with the administration of any unit or units of the Wilderness System, copies of any subsequent amendments thereto, and copies of any reports with map and description submitted to Congress regarding additions, modifications, or eliminations in accordance with section 2(f) of this act, shall be forwarded to the secretary of the National Wilderness Preservation Council by such official or officials as shall establish or issue them. The Council shall maintain a public file of such copies, but shall have no administrative jurisdiction over any unit in the Wilderness System nor over any agency that does have such jurisdiction.

(c) The Council shall serve as the repository for, and shall maintain available for public inspection, such maps and official papers regarding the Wilderness System as may be filed with it. The Council shall serve as a nonexclusive clearinghouse for exchange 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, for the information of the public regarding use and preservation of the areas of wilderness within the Wilderness System, including information and maps regarding State and other non-Federal areas. The Council is directed to consult with, advise, and invoke the aid of appropriate officers 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 submission to 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 Council shall determine, or upon call of 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 and rent, not to exceed an annual expenditure of \$100,000, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. Disbursements from such appropriations shall be made by the Secretary of the Smithsonian Institution. 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 tax 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 is now being reintroduced, in the 86th Congress.

CORRESPONDENCE

Those who have already written their comments to Senators and 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 November of 1958. Such correspondence has also been represented in the CONGRESSIONAL RECORD, particularly February 29, 1956, June 7, 1956, and February 11, 1957.

NEWSPAPER AND MAGAZINE COMMENT

Magazine articles and newspaper editorials reporting favorably on 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, 1958, and July 6, 1958, entitled "Saving the Wild" and "Land Forever Wild"; a New York Times editorial on July 20, 1958, on "The Wilderness Bill," which "ought certainly to be passed"; a July 11, 1957, editorial in the Minneapolis Star entitled "The Wilderness Bill"; a column in the Denver Post of May 25, 1958, by Cal Queal called "New Kind of Tonic"; an editorial in the Bend (Oreg.) 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 6, 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 and the Future," saying that the bill offers "truly sound wilderness protection."

ORGANIZATION SUPPORT

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

On pages 120 and 121 of the printed transcript of the July 23, 1958, hearings by the Senate Committee on Interior and Insular Affairs entitled "National Wilderness Preservation Act," there are listed 80 organizations who have expressed support of the bill. In two categories—national organizations and State, regional, and local organizations—they are as follows:

TWENTY-TWO NATIONAL ORGANIZATIONS SUPPORTING THE WILDERNESS BILL

AFL-CIO.
American Nature Association.
American Planning and Civil Association.
American Society of Mammalogists.
American White Water Affiliation.
Citizens Committee on Natural Resources.
Council of Conservationists.
Defenders of Furbearers.
Federation of Western Outdoor Clubs.
Garden Club of America.
General Federation of Women's Clubs.
Izaak Walton League of America.
National Audubon Society.
National Council of State Garden Clubs.
National Grange.
National Parks Association.
National Wildlife Federation.
Nature Conservancy.
Sierra Club.
Trustees for Conservation.
The Wilderness Society.
Wildlife Management Institute.

FIFTY-EIGHT STATE, REGIONAL, AND LOCAL ORGANIZATIONS SUPPORTING THE WILDERNESS BILL

Adirondack Mountain Club.
Albuquerque Game Protective Association.
American Bowhunters Association.
American Youth Hostels.
Appalachian Mountain Club.
Beaver County Sportsmen's League.
Billings Rod and Gun Club.
Bird Club of Westfield, N.J.
California Alpine Club.
Cascadians of Yakima.
Citizens Natural Resources Association of Wisconsin.
Conservation Council of Eastern Pennsylvania.

Conservation Forum of New York State.
Desert Protective Council.
Dude Ranchers Association.
East Orange Garden Club.
Federation of Garden Clubs of Virginia, Piedmont District.
Flathead Wildlife, Inc.
Friends of the Forest Preserve.
Friends of the Three Sisters Wilderness.
Friends of the Wilderness.
Garden Club of Virginia.
Georgia Conservation League, Region 3.
Green Mountain Club.
Hawk Mountain Sanctuary Association.
Idaho Wildlife Federation, District 2.
Illinois Audubon Society.
Independent Timbermen's Committee.
IWLA, Wisconsin Division.
MAZAMAS.
Montana Wilderness Association.
Montana Wildlife Federation.
Montclair Bird Club.
The Mountaineers.
The Natural History Society of Eugene.
Natural Resources Council of Illinois.
New York-New Jersey Trail Conference.
New York State Conservation Council.
North Cascade Conservation Council.
North Rocky Mountain Sportsmen's Association.
Obsidians.
Obsidian Princesses.
Oklahoma Garden Club.
Oklahoma Outdoor Council.
Otero County Wildlife Association.
Olympic Park Associates, Inc.
Philadelphia Conservationists, Inc.
Peoria Rod and Gun Club.
President's Quetico-Superior Committee.
Quetico-Superior Council.
Ravalli County Fish and Wildlife Association.
Roamer Hiking Club.
Rock Tavern Rod and Gun Club.
St. Petersburg Audubon Society.
Seattle Audubon Society.
The Tralfanders.
Trowel Garden Club.
Washington State Sportsmen's Council.

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 Bem Price dispatched from the Washington, D.C., headquarters but used by many member papers of the Associated Press throughout the country.

The Des Moines (Iowa) Sunday Register 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 banner heading across the page, "Message to Space and Back." Next was a 7-column heading for Bem 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 LAST FORESTS—PRESERVATION SOUGHT IN LEGISLATION

(By Bem Price)

"WASHINGTON, D.C.—For many people the prospect of America exhausting 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 dispute 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 lands would mean locking up potentially valuable assets, with a subsequent loss in taxes and wages from private exploitation.

"This is not a new dispute. It has been going on since the late 1860's when a national park was first proposed. Such a park did come into being in 1872. Arguments over such use of public land haven't 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 2,309,683,-680 acres.

"Of this total the Federal Government owns or controls 477 million acres, including 181 million acres of forest land. About 58 million acres of true, roadless wilderness lands remain in the Nation.

"At present nearly all of the 50 to 55 million acres in the proposed law is restricted by Federal administrative decree to recreational use 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 land will be brought under its protection.

"While the opponents generally agree that wilderness preservation is desirable, they object to preservation by an 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 exploration, mining, and cattle grazing probably would be arduous and expensive. At least that is what the advocates of the proposal claim.

"An opposition point of view was given by Warwick M. Downing, of Denver, chairman of the oil industry 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 prospected for mining 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."

"Public land revenues

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

"More than 160,500,000 acres of public lands are now open to grazing, and 77,369,-000 are open to mineral, gas, and oil exploitation. These figures represent acres actually under lease.

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

Mont., president of the American National Cattlemen's Association.

"Milburn recently told a cattlemen's meeting that 'the loss of grazing and other resource harvesting will have a great economic impact on our communities.'

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

"Not adequate consideration

"Milburn, like Downing, warned that the proposal would establish procedures for pulling additional public and private lands into this system of playgrounds for the few.

"W. D. Hagenstein, executive vice president of the Industrial Forestry Association of Portland, Oreg., said the wilderness bill would set aside millions of acres of Federal lands for recreation purposes without adequate consideration of the effect on local economies.

"Why the urge to place these forest lands in escrow by law?

"Howard Zahniser, executive secretary of The Wilderness Society, a nationwide group of conservationists with headquarters here, said in a report to his members:

"Those who have been studying wilderness preservation needs have come to the conclusion that all our land is destined to be put to some human use. The pressures of civilization are such that none of the land can be expected to escape.

"That recognition has led to the further understanding that none of our land can be expected to endure as wilderness accidentally."

"Commercial interests generally have opposed the proposed law. The bill is supported by 22 national organizations, including the AFL-CIO, the General Federation of Women's Clubs, the Garden Club of America, the National Wildlife Federation, and the American Planning and Civic Association.

"Local support

"There are 58 State, regional, and local organizations also lending support to enactment of the measure.

"In the last Congress the wilderness bill was sponsored by 12 Senators—HUBERT HUMPHREY, Democrat, Minnesota; RICHARD NEUBERGER, Democrat, Oregon; H. ALEXANDER SMITH, Republican, Maine; KARL MUNDT, Republican, South Dakota; WAYNE MORSE, Democrat, Oregon; PAUL DOUGLAS, Democrat, Illinois; JAMES MURRAY, Democrat, Montana; ALEXANDER WILEY, Republican, Wisconsin; JOSEPH CLARK, Democrat, Pennsylvania; FRANK LAUSCHE, Democrat, Ohio; HENRY JACKSON, Democrat, Washington; and WARREN MAGNUSON, Democrat, Washington. The proposed bill contained this paragraph:

"The Congress recognizes that an increasing population * * * is destined to occupy and modify all areas within the United States * * * except those designated for preservation. * * * The preservation of such areas is recognized as a desirable policy of government * * * for the health, welfare, knowledge, and happiness of its citizens of present and future generations."

"There is no doubt the U.S. population is booming. By the time a baby born January 1, 1959, reaches his 21st birthday, the United States will have between 230,800,000 and 272,600,000 people. Present population is 175 million. At 41, the baby of 1959 will be hemmed in by an estimated 320 million people and all their landscape-cluttering works.

"What would the proposed law do?

"Safeguards cited

"Senator NEUBERGER has said safeguards would be included in the bill to protect the communities which are wholly reliant on national forest timber and other resources for a livelihood.

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

"Where recreation facilities exist, they will continue.

"The proposal creates no new bureaucracy save an unpaid advisory council. Those agencies that already administer the lands will continue to do so.

"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 recreation needs and report 2 years from now. Opponents of the wilderness bill hold that no action should be taken until this commission completes its study.

"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."

OUTDOOR LIFE

The January 1959 issue of the magazine Outdoor Life has the entire monthly department "Reports from the Field" by Arthur Grahame devoted to an article entitled "Legislation to Watch" and devoted entirely to the wilderness bill. It is as follows:

"LEGISLATION TO WATCH

"(By Arthur Grahame)

"Introduction of legislation which, if enacted into law, will have good or bad effects on hunting and fishing will be a feature of the 1st session of the 86th Congress which convenes this month.

"Early in the session, Senator HUBERT H. HUMPHREY (Minnesota) will reintroduce his wilderness bill.

"For 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 his first National Wilderness preservation system bill, but no action was taken on it. He reintroduced it in the 85th Congress. After 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 sportsmen—among them the Moosehorn Wildlife Refuge in Maine, Cape Hatteras National Seashore Recreation Area in North Carolina, Okefenokee Wildlife Refuge in Georgia, and Delta Wildlife Refuge in Louisiana.

"HUMPHREY's bill doesn't seek removal of these areas from jurisdiction of agencies now administering them to that of some new setup, but seeks to insure that they will remain real wildernesses. The bill would make Federal-owned wilderness areas units in a nationwide wilderness preservation system. Each unit would continue to be managed by 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.

Areas could be added to the system, modified, or eliminated from it after public hearings and with the consent of Congress. Agencies involved would be given ample time to decide whether or not certain areas now classified as wildernesses should be included permanently in the system, and only areas of predominantly wilderness value would be included. The law would not forbid multiple use of areas, provided such use would not detract from their wilderness character. Grazing, for example, could be continued where it now is permitted. Prospecting and mining would be barred unless the President ruled that they are in the national interest.

"The bill requires that, so far as practicable, machines be kept out of the areas—that road building and the use of motor vehicles, motorboats (including outboards), and aircraft be held to the minimum necessary for protection and efficient management of the areas. But it makes the exception that airplanes and motorboats may continue to be used where they now are established means of transportation.

"Hunting and fishing aren't mentioned in the bill, but its provisions guarantee continuance of hunting in all wilderness areas where it now is permitted, and of fishing in all wilderness areas that have fishable waters. Hunting would be prohibited, as it is now, in national park wilderness areas.

"Some sportsmen are lukewarm in their support of the bill because they think that the ruggedness, and often the cost, of travel and living in wilderness areas limits their use to a few hunters and fishermen. Supporters agree 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 areas offering real wilderness hunting and fishing will be an indispensable part of the well-rounded system of recreational facilities, including easily accessible public 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 recommended elimination of the provision for a National Wilderness Preservation Council—with an appropriation of up to \$100,000 a year—which would have no administrative authority. Hence, it couldn't be much more than a glorified information center. Some supporters of the bill consider this provision its only weak spot.

"The bill is supported by 22 national and 55 regional, State, and local organizations interested in conservation. Among them are the Izaak Walton League, the Wildlife Management Institute, and the National Wildlife Federation. HUMPHREY says he has received letters endorsing it from every State.

"The bill is opposed by the American Pulpwood Association, American Forestry Association, Industrial Forestry Association, National Lumber Manufacturers Association, and American National Cattlemen's Association. In the Committee on Interior and Insular Affairs it has been opposed by Senators Frank A. Barrett, Wyoming, and Arthur V. Watkins and Wallace F. Bennett, both of Utah. Both Barrett and Watkins, incidentally, were defeated in the November elections. It was these Senators' last-minute insistence that additional public hearings be held in the West in November that kept the bill from being voted on before adjournment.

"Senator HUMPHREY expects that his toughest fight will be to get the bill cleared by the Committee on Interior and Insular Affairs. He's sure of more than enough bipartisan support to assure its enactment once it gets past the committee.

FIELD & STREAM

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 this body will come the usual number of proposals for legislation affecting the Nation's natural resources. At the present time one measure that will be 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 lines of those forces which will debate the issue in coming months. The draft of the bill now before Congress appears to be satisfactory to all the public land agencies that are likely to be affected, but evidently it has served only to stimulate the opposition of those commercial interests which dislike the basic idea. 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.

"New Members of Congress should be approached and informed of the attitude of conservationists on this measure. In general, the positions of the older legislators is known, but it is possible that newcomers may hold the balance of power when the voting takes place. Conservationists may well ask one another if they are on record with their Senators and Representatives."

THE OREGONIAN

The issues posed before the American public in the field hearings on the wilderness bill were discussed in the (Portland) *Oregonian* on November 13, 1958, by Jalmar Johnson, the paper's associate editor, in an article entitled "Who Shall Have the Say on Wilderness?" It is as follows:

[From the *Portland (Oreg.) Oregonian*, Nov. 13, 1958]

"WHO SHALL HAVE THE SAY ON WILDERNESS?"

"(By Jalmar Johnson)

"A great many Americans believe that parts of the national forests, as well as the national parks and other Government-owned lands, should be set aside in their natural state. Present and future generations need such areas of true wilderness, unprofaned by the workaday man and his works, in which to commune with nature for the good of both soul and body. Scientists need them as natural laboratories in which to study the interplay of flora and fauna as it exists free from human influence.

"The present bitter dispute over establishment of a national wilderness preservation system is not so much over the need for wilderness preservation, although there is no unanimity even on that, as over the methods of control. The latest national wilderness preservation bill would change the methods of control substantially.

"It would declare wilderness preservation to be a policy of Congress and, in areas included in the system, such preservation would be made paramount to other uses. The wilderness system would include all areas within the national forests classified now by the Forest Service as wilderness, wild, primitive, and roadless. Within 10

years the Secretary of Agriculture would be permitted to determine which primitive areas are predominantly of wilderness value and to modify boundaries accordingly. (Primitive, wilderness, wild, and roadless areas in the national forests now total 14,395,971 acres, or 8 percent of the total national forest area).

"Congress would have the veto power over any addition to, modification of, or elimination from any wilderness area established. Ninety days' public notice would have to be given of any proposed change and a hearing held if demanded. Congress, however, would have 120 days while in continuous session to pass a concurrent resolution opposing the change.

"In addition, a National Wilderness Preservation Council, consisting of the Secretaries of the Interior, Agriculture, and the Smithsonian Institution and three citizens appointed by the President with consent of the Senate, would be created. The Council would be the clearinghouse for the system but would have no administrative jurisdiction over any area.

"The proposed legislation would involve the national parks, national wildlife refuges and ranges and some other lands, as well as the national forests. Indian lands, since they technically belong to the Indians and not to the Government, will be eliminated. It is the proposed law, as it would apply to the national forests, which is of paramount concern to commercial interests in the West, however, since these are the lands which provide valuable natural resources for timbermen, livestock growers, miners, irrigators, etc.

"Hundreds of thousands of words of argument, pro and con, on wilderness preservation currently are being made part of the record of the Senate Committee on Interior and Insular Affairs. Senator RICHARD L. NEUBERGER, of Oregon, cosponsor of S. 4028 (wilderness bill) in the last session of Congress, conducted hearings last Friday at Bend and this Monday in San Francisco. Senator JAMES E. MURRAY and Senator CLINTON P. ANDERSON are conducting similar sessions this week at Salt Lake City and Albuquerque.

"At the risk of oversimplification, one might say that the arguments boil down to this:

"Most conservationists want Congress officially to recognize wilderness areas by legislative act and to have the final say in any changes in their borders. They want to make it more difficult for timber operators and others to whittle away at the edges of the wilderness areas. They want all the people of the United States, as represented by Congress and the proposed Wilderness Council, to have a voice in determining which lands should be kept in their wild state and which should yield their timber, grass, water, and minerals to the country's economy. Administrators of the lands, who now make such decisions, are too subject to pressure from those who would use the resources for profit, the bill's proponents argue.

"Commercial interests are for the status quo. They are bitterly opposed to any watering down of the multiple-use principle under which the national forests were established. They don't want Congress, the majority of whose Members come from States where wilderness, timber cutting, grazing, mining, irrigation, etc., are of minor importance, deciding what shall be done with the West's natural resources and every bit of Federal land not yet exploited. They don't want a National Wilderness Council, whose three citizen members might become tubthumpers for inclusion of vast areas of the West in a perpetual forest primeval, telling Congress what it should do. And they point out that only a very small portion of the American public is able to enjoy the wilderness where automobiles may not penetrate.

"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 53,000 acres by the Forest Service in converting it into a more permanent wilderness area. The reduction was made to provide greater timber resources for mills in the Eugene area. Conservationists fought the proposal strenuously, although 197,000 acres remained in the wilderness area.

"This newspaper at that time expressed the view that the boundary change was in keeping with the forest management philosophy of Gifford Pinchot, patron saint of conservation, who sought the greatest good for the greatest number in the long run. One cannot but wonder whether this wise compromise between conflicting interests would have resulted if a Wilderness Council had then existed to stir up a veto-empowered Congress.

"How different the national and local view may be was demonstrated by two Izaak Walton League statements submitted to Senator NEUBERGER at Bend. A resolution from the national Walton League endorsed the wilderness preservation bill. A statement from the Oregon division of the league said directors did not approve the bill, although they were in substantial agreement with most of the objectives.

"The Oregon division recommended that such legislation should be held in abeyance until the Outdoor Recreational Resources Review Commission, which was set up by the 85th Congress, has made its report, which is due in 1961. That is not a bad idea, though one would be optimistic, indeed, if one seriously believed such a report would settle the controversy."

In its news column the Oregonian had earlier, on November 8, 1958, reported the hearing held in Bend, Oreg., on November 7, 1958, in a special dispatch by its staff correspondent, Phil F. Brogan, as follows:

[From the Portland (Oreg.) Oregonian, Nov. 8, 1958]

"OUTDOOR GROUPS, INDUSTRY SPLIT ON WILDERNESS BILL

"(By Phil F. Brogan, staff correspondent, the Oregonian)

"BEND.—Strongly conflicting views relative to the wilderness bill were expressed by delegations and individuals from the Pacific Northwest at a U.S. Senate Committee on Interior and Insular Affairs hearing here Friday, November 7, 1958.

"Senator RICHARD L. NEUBERGER, Democrat, of Oregon, presided at the all-day session assisted by Senator HENRY C. DWORSHAK, Republican, of Idaho. The Bend hearing is one of four to be held in the Western States relative to the controversial bill, original version of which was revised.

"Outdoor groups in favor

"Strong views in favor of the bill were voiced by recreationists, outdoor groups, sportsmen clubs, alpine groups, and others. These included the powerful Sierra Club of California with some 10,000 members in the United States, 250 of them in the Northwest.

"A phenomenal population growth in the United States is causing the encroachment of residential, industrial, agricultural, logging, and mining activities on the formerly vast areas of undeveloped wilderness, particularly in the West, Sanford S. Tepfer, Eugene, spokesman for the group, declared.

"From opponents of the measure which concerns a proposal that would give congressional recognition to wilderness preservation as a public land-management concept came condemnation. This opposition came from lumber interests, stockmen, and, among others, the Associated Oregon Industries. Hans Millus, Bend, spokesman for the ACI, declared that 'Legislation of this type is neither desirable nor necessary.' How-

ever, Millus said ACI would not object to legislation which would 'merely give congressional recognition to wilderness use.'

"Churchmen, represented by the Rev. R. Riley Johnson, Episcopal minister from Chelan, Wash., also entered a strong protest against the bill in behalf of the Protestant Episcopal Missionary District of Spokane, Wash.

"Action can be revoked

"But from other Washington groups came statements from garden clubs, outdoor groups, nature lovers, campers, sportsmen, and others in favor of the bill. Charles D. Hessey, Jr., representing the Cascadians of Yakima, Wash., declared: 'The wilderness bill is not irrevocable. The decision to destroy wilderness is a final choice. Any legal protection we can give to wilderness now Congress can revoke if the national welfare ever demands it.'

"The entire Tribal Council of the Warm Springs Confederated Tribes was present. Tribesmen learned that Indian lands may be withdrawn from the final version of the bill.

"Representatives of the western forest industry declared the wilderness system has created a serious problem for Oregon. He said he had been told wilderness and wild areas in Oregon are greater than the State of Rhode Island.

"Friends of the Three Sisters area, represented by Karl W. Onthank, Eugene, submitted strong support for the bill.

"Several compromise plans were suggested.

"Farm Bureau opposed

"But there was no compromise on the part of the Oregon Farm Bureau Federation, represented by R. E. Kerr, Eugene. He declared the bill diminishes rather than increases the recreation potential of the country, militates against conservation, and is not necessary and is untimely.

"The Oregon Cattlemen's Association and the Oregon Wool Growers also entered statements in protest of the bill as did the Washington Wool Growers. In support of the bill, Paul Gerhardt, Portland, representing the Trails Club of Oregon, said, 'The strongest case for this bill lies in the aura of the national forests which were initially instituted not for recreation but for timber and water management.'

"The Izaak Walton League of Oregon backed the bill as did Dr. James Kezer of the University of Oregon, who represented the Oregon Academy of Sciences.

"Scores of statements, newspaper editorials, clippings, and telegrams were entered in the record."

SAN FRANCISCO EXAMINER

The November 10, 1958, hearing held in San Francisco was reported in the San Francisco Examiner on November 11 in two news items in successive editions with the headings, "Wilderness Area Plan Aired Here" and "Battle of the Wilderness a Standoff." They are as follows:

[From the San Francisco (Calif.) Examiner, Nov. 11, 1958]

"WILDERNESS AREA PLAN AIRED HERE

"A seemingly endless procession of witnesses strode up to a wooden armchair in the health building auditorium here yesterday to tell a U.S. Senate hearing how they feel about the so-called wilderness bill.

"The subject matter—a bill on wilderness areas that lost in the last Congress but will be reintroduced next year—generated an almost equal division of opinion from the more than 50 witnesses.

"And among the phrases tossed into the hearing transcript from the opposing sides were: juvenile delinquency, States rights, the camping boom, automation, increased leisure,

America's economic future, grizzly bears, and selfish interests.

"Accuse each other

"By far the most popular of these was selfish interests.

"Each side was prone to accuse the other side of misrepresenting them.

"Those favoring the bill were mainly conservationists and scientists; those opposed represented such resource industries as mining, oil and timber.

"Because 70 men and women had asked to appear at the 1-day hearing, Senator RICHARD L. NEUBERGER, Oregon Democrat who conducted the long session, imposed a 5-minute limit on all witnesses at the outset.

"Interests conflict

"The bill, of which Senator NEUBERGER was a cosponsor, would designate certain federally owned uninhabited regions as wilderness areas and establish a National Wilderness Preservation Council that would aid in their administration.

"Witnesses representing the resource industries, as well as spokesmen for the State and San Francisco Chambers of Commerce feel that the bill would seriously deter the natural resource development of the West.

"They claim that the benefactors of the bill would be a group of conservationists and hikers representing less than one-tenth of 1 percent of the U.S. population.

"Natural beauty

"The conservationists, on the other hand, argued that to designate wilderness areas for multiple uses—that is, to permit development of natural resources—would be to permit despoliation of natural beauty.

"Among the witnesses were a pretty Mills College sophomore, Fran Leonard, who urged passage of the bill; and Wendell Robie, chairman of the California State Board of Forestry, who opposed the bill as too inflexible.

"Robie and the others said there was no need to change the present machinery for establishing wilderness areas."

[From the San Francisco Examiner, Nov. 11, 1958]

"BATTLE OF THE WILDERNESS A STANDOFF—66 CONSERVATIONISTS, SCIENTISTS HURL WORDS

"Sixty-six citizens—most of them from the Bay area—hurled an assortment of bouquets and brickbats yesterday at a U.S. Senate bill on the future of Federal wilderness areas.

"The occasion was a 1-day hearing at the health center building here on the controversial wilderness bill that would confine certain Federal wilderness to recreational use.

"The hearing—which saw a seemingly endless procession of witnesses give their ideas on the bill—ended up with opinions about equally divided.

"Speaking limited

"Those favoring the bill were mainly conservationists and scientists; those opposed represented such resource industries as mining, oil and timber.

"Because of the large number of men and women asked to appear, Senator RICHARD L. NEUBERGER, Oregon Democrat, who conducted the long session, imposed a 5-minute limit on all witnesses.

"The bill, of which Senator NEUBERGER was a cosponsor, would designate certain federally owned, uninhabited regions as wilderness areas. It would also establish a National Wilderness Preservation Council that would serve, in effect, as an advisory commission.

"The bill lost in the last Congress, but it is to be reintroduced next year, perhaps in slightly modified form.

"Varied opinions"

"Here are some of the opinions expressed:

"David R. Brower, executive director of the Sierra Club:

"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:

"We feel that preservation of wilderness areas for the recreational benefit of our Nation * * * should not be done on a wholesale basis, but should provide for proper utilization of the essential natural resources and other economic values."

"Serious loss"

"Charlotte E. Mauk, a technical editor at the University of California Radiation Laboratory, speaking as an individual:

"A few thousand acres of timberland here or so many square miles of reservoir site there cannot add much to the gross national product * * * but subtracting them from our dwindling wilderness resources amounts to a serious loss."

"We must respect our scenic savings account, lest we become a Nation of poverty in everything but dollars."

"Dr. Russell H. Varian, scientist, inventor, and industrialist, of Palo Alto:

"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."

SAN FRANCISCO CHRONICLE

The San Francisco Chronicle in a report by David Perlman described the November 10 hearing in a heading which read, "Hot Debate Here on Wilderness Bill." It is as follows:

[From the San Francisco Chronicle, Nov. 11, 1958]

"HOT DEBATE HERE ON WILDERNESS BILL"

(By David Perlman)

"A bill to preserve wilderness areas in Federal lands, and to protect them against commercial development, generated a lengthy and highly partisan quarrel here yesterday."

"The Federal measure, introduced in the Senate more than 2 years ago, is scheduled to come up again in the new Congress. Washington experts predict it will pass in amended form."

"The Senate's Interior and Insular Affairs Committee held one in a series of field hearings on the bill here yesterday, and 66 witnesses showed up to testify—all with strong and uncompromising points of view."

"Presiding was Senator RICHARD NEUBERGER, Democrat, of Oregon, Senator JAMES E. MURRAY, Democrat, of Montana, committee chairman, also attended."

"Ranged against each other at the hearing before an audience of 200 in the Health Department Building, 101 Grove Street, were conservationists from all over the West on one side, and spokesmen for such major industries as oil, timber, mining, and livestock on the other."

"There wasn't much middle ground."

"To the conservationists the proposed bill was essential as a means of stemming the exploitation of America's last remaining wilderness areas—about 2 percent of the country's land area where roads still don't exist and the scenery is unspoiled."

"The conservationists argued 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 anathema—a piece of special interest legislation designed to lock up critically needed natural resources."

"The measure itself would continue existing machinery for administering the areas already classified as wilderness, but it would also provide that only Congress could remove a tract of land from the wilderness system. It would create an advisory Wilderness Preservation Council to help decide on what lands should be kept intact and what should be opened to development."

SAN FRANCISCO NEWS EDITORIAL

The San Francisco newspapers later commented editorially on the wilderness bill and the hearings it had called forth. The San Francisco News, under the heading "Ah, Wilderness," commented as follows:

[From the San Francisco (Calif.) News, Nov. 13, 1958]

"AH, WILDERNESS"

"There are about 50 million acres of wilderness—planned and maintained by nature—left in the United States. They constitute 2 percent of the country. Most of it is in the West."

"This week a U.S. Senate committee held hearings in San Francisco on a bill to preserve the beauty and natural utility of these untouched lands."

"It is said to have an excellent chance of passing and we hope it does."

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

"Even the city lover who has no intention of trudging off into the wilds is comforted to know that such unscarred majesty remains."

"Future generations will not be thankful if this generation permits all of the 'original America' to be swallowed by ravenous progress."

CHRONICLE EDITORIAL

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

[From the San Francisco (Calif.) Chronicle, Nov. 12, 1958]

"ONE HUNDRED MILLION ARGUMENTS"

"The best argument for the wilderness-preservation bill which a Senate Interior subcommittee had under hearing in San Francisco this week is found in the latest word from the Census Bureau. It predicts that in the next 21 years this country may grow by almost 100 million in population."

"A prospect like that should wake up the public at large to the fight which conservationist groups are making for a truly effective wilderness reserve. They urge the enactment of a National Wilderness Preservation Act to protect that 2 percent of the Nation's land area, some 50 million acres, where roads still don't exist and the environment is unchanged by man."

"If Congress does not legislate wisely and soon to bar the gates against exploiters of these regions, many of them are certain to be overrun as the population swells to the estimated figure of 272 million by 1980. Once lost, a wilderness is lost forever."

"The key idea of the wilderness bill, S. 4028, is to take the power of opening or closing wilderness lands out of the hands of Federal agencies. Experience has shown that the pressures on them become almost irresistible. So the bill gives Congress alone the power to open up wilderness areas for private exploitation. 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 tend to be the most resistant; those with teeming populations the most favorable. Oil, mineral, livestock grazing and timber interests continue to oppose the bill, despite the fact that specific objections they made to its first draft have been accommodated."

"There may be legitimate further accommodations. But there should be no retreat from the main principle of keeping the vanishing American wilderness intact. Unless that decision is made by Congress, we'll find some day that there is no wilderness left, and that the Nation as a whole is relatively strapped for adequate park and recreation land as our cities are now."

PALO ALTO TIMES EDITORIAL

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

[From the Daily Palo Alto (Calif.) Times, Nov. 14, 1958]

"WHEN IT'S GONE IT'S GONE FOREVER"

"Let us suppose the conservationists win the fight for Federal legislation setting aside wilderness areas: If at some time in the future the natural resources of those areas are urgently needed for our economy, or for our defense, they will still be available."

"Let us suppose, on the other hand, the multiple use policy is adopted instead. The resources are utilized, recreation facilities are maintained, efficient use is made of the land—but there is no more wilderness. The quality that is gone can never be regained."

"Opponents of the bill which was debated heatedly in San Francisco Monday say they favor preserving the wilderness all right, but that they want it done by more flexible administrative means and in a way that will permit 'proper utilization of the essential natural resources and other economic values'."

"We do not believe this irreplaceable inheritance can be trusted to the decisions of administrators, who are subject to varying pressures. We do not believe that utilizing land is wilderness in the real meaning of the word."

"The bill itself defines wilderness as 'an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain.' It recognizes the multipurpose programs already under way on Federal lands, but undertakes to make sure that one of the multiple uses shall be wilderness preservation."

"Well-regulated exploitation and development can create beautiful recreation areas, but nothing takes the place of virgin mountains, streams, and forests among which man ventures reverently, knowing this is the very America his forefathers loved and that his children's children will rest their eyes on the same beauty."

"It will be a sorry day for the United States when its people must sacrifice this part of their natural heritage."

SALT LAKE TRIBUNE

In Salt Lake City, Utah, the Salt Lake Tribune reported of the November 12 hearing that "in number of speakers at least, it was the opposition that had the edge." This report by Jerry Voros, Tribune staff writer, is as follows:

[From the Salt Lake City Tribune, Nov. 13, 1958]

"OPPONENTS RIP WILDERNESS FOREST PROJECT—SUPPORTERS SAY BILL VITAL, 67 EXPLAIN VIEWS IN SALT LAKE"

(By Jerry Voros)

"Supporters of proposed Federal legislation to create wilderness areas which would be maintained with only access allowed by foot

or horse were branded dreamers and wishful thinkers Wednesday by cattle and sheep men, foresters, mining men and water officials.

"During 7 hours of verbal battling before the Senate Insular and Interior Committee, which held a hearing in the Salt Lake City Federal Building, lines were clearly drawn.

"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 forest management, would create another agency duplicating work now handled by other bureaus, would threaten economies of various areas and would allow for negative legislation.

"Backers 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.

"Senator JAMES E. MURRAY (Democrat, Montana) presided at the morning session and at a portion of the afternoon hearing.

"Then Senator HENRY C. DWORSHAK (Republican, Idaho) took over.

"Also attending were two newly elected Democratic Senators, FRANK E. (TED) MOSS of Utah, and GALE MCGEE, of Wyoming.

"The district courtroom in which the hearing was held was jammed and scores of persons stood in corridors. A committee clerk estimated 150 persons attended the sessions.

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

"Governor Clyde said people in the West are concerned by the bill because of the impact it would have on the future economy 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. Bingham, executive director of the Utah Water and Power Board, and C. J. Olsen, director of the Utah State Park and Recreation Commission.

"Supporters included the National Wildlife Federation, the Colorado Department of Fish and Game, The Dude Ranchers' Association, the Wind River (Wyo.) Outfitters' Association, the Utah Wildlife 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.

"But 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, Vernal Chamber of Commerce, National Wool Growers, Utah Farm Bureau, Utah Wool Growers, North Dakota Oil & Gas Association, General Federation of Women's Clubs, Montana Stockgrowers Association, Utah Cattlemen's Association, Colorado Association of Soil Conservation Districts.

"Others opposed were the Idaho Wool Growers, National Wool Growers Association, Colorado Farm Bureau, the Utah Association of 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 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:

[From the Salt Lake City Tribune, Nov. 13, 1958]

"THE PUBLIC FORUM: SAVE WILDERNESS

"EDITOR, TRIBUNE:

"Contrary to what some special interests will tell you, the wilderness bill is not designed to take away any of the privileges which are already established on the public lands. It does however protect certain public lands from further encroachment by selfish private interests that are concerned only in the pursuit 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 untrammelled 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 across the side of a mountain covered with 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 grandchildren will never know the thrill or satisfaction of penetrating into an area only occasionally visited by man and then without the use of a mechanical vehicle. They will be denied the soul-stirring drama of sitting by a campfire far in the hills without the background of billboards detailing the advantages of twice over television sets for those who wish to watch two old movies at the same time. They will never be able to spend 1 hour, much less an entire day, without the soul-jarring sight of an automobile accident unfolding before their eyes.

"W. S. BOLTON.

"MILFORD, UTAH."

ALBUQUERQUE JOURNAL

The hearings in Albuquerque on November 15 were reported in the Albuquerque Journal of that date by Wayne S. Scott in an article that was entitled "Wilderness Bill Is Called Threat and Advantage." It is as follows:

[From the Albuquerque (N. Mex.) Journal, Nov. 15, 1958]

"WILDERNESS BILL IS CALLED THREAT AND ADVANTAGE—WITNESSES HEARD IN SESSION HERE THROUGHOUT DAY

"(By Wayne S. Scott)

"The bill to establish a National Wilderness Preservation System was depicted here Friday both as a threat to economy of the West and as a means of providing a retreat from civilization and from the ravages of atomic warfare.

"The conflicting statements were made at a hearing conducted by U.S. Senator CLINTON P. ANDERSON, a member of the Senate Committee on Interior and Insular Affairs, which has the bill under consideration. Several hundred persons attended the hearing, forcing it to be moved from the Federal courtroom of Judge Waldo Rogers to the larger courtroom on the sixth floor of the Federal Building.

"Forty-two are heard

"Forty-two persons presented testimony during the day. Backers of the bill dipped into the Bible and into poetry to support their contention man needs areas away from

civilization in which to retreat and find spiritual strength. Opponents declared it would hurt the livestock industry, hinder or halt continued development of oil and mining industries, and be in conflict with the multiple use principle of Federal lands.

"Indians offered the additional objection their lands could be declared wilderness, under present wording of the bill, without their consent. ANDERSON assured them this would be changed either to require their consent or to omit Indian lands from the proposed wilderness system.

"The bill, as presently worded, would declare a policy of preserving certain lands as wilderness areas, to include portions of national forests, national parks, wildlife refuges, Indian lands and other lands owned or controlled by the Federal Government. The Secretaries of Agriculture and Interior would have 2 to 10 years 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. This followed endorsement of the bill by Russell L. Hankins of the New Mexico Mountain Club.

"Attacks club

"Otto Hake, of Frank Bond and Son, Inc., which operates a large ranch in northern Sandoval County, asked Hankins' 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 mixed, and it cost us hundreds of dollars to unmix them. * * * An appeal from an organization that destroys property and makes it hard for us to produce cattle should not be permitted."

"Hankins angrily denied the charge and challenged Hake to prove gates were left open, property was destroyed and members of the New Mexico Mountain Club were responsible.

"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 bill by S. E. Reynolds, State engineer, who said 'it could have serious consequences adversely affecting the economic development' of the State and its citizens. He mentioned several reservoir and irrigation projects present and proposed, in or so near the wilderness areas they would be handicapped if motor vehicles could not be used to reach them.

"The State is anxious to prevent the despoliation 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 action should wait for the report of the National Outdoor Recreation Resources Review Commission, which is due in 1961.

"Opposition of the New Mexico Farm and Livestock Bureau was expressed by John Augustine, secretary. He said that under the bill, a large amount of federally owned land could be set aside as wilderness areas, which he said would in fact be used only by a small portion of the people.

"Asks delay

"He also declared the measure would 'obstruct the special use programs' of national parks, national monuments and wild life refuges and would result in a 'locking up' 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 Commission has reported.

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

"The bill, fortunately, does not interfere with established uses, such as grazing of livestock," the association said in a statement read by Elliott Barker, former director of the State game department. "The bill does not impair, but rather enhances, watershed values of the areas. 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," Barker said in an individual statement. "Who would deprive his children and their children after them of enjoying such a wonderful 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 considers 'the multiple use of forest and public lands in New Mexico to be of paramount importance to the economic growth and progress of our State.' He said the State's livestock industry had an income of \$126 millions last year, and expects \$150 millions this year. He said the industry has not opposed the million acres now in wilderness, wild and primitive areas in New Mexico, but believes present law gives the Forest Service adequate authority to maintain them and establish new ones if needed.

"In New Mexico, 98 percent of the land area is adaptable only to grazing," Driggers declared. "The economy of our State is dependent upon livestock and farming; mining and oil development and all of these industries 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 Mexico AFL-CIO endorsed the bill in statements read by James Weber.

"We believe people, the general public, as opposed to individuals or groups with special interest, have first priority as to our natural resources," read the machinists' statement.

"Clyde 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 unalterably 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 whims of an administrator. We can have a wilderness today, and tomorrow the Secretary of Agriculture may wipe it out."

"H. Ray Macht, rancher of Pagosa Springs, Colo., said he does not believe a wilderness area should do any harm to the livestock industry, but he called for some assurance grazing privileges will be continued.

"Testimony has been all for or all against the bill," he said. "I think we should open our ears and our eyes and our minds and realize there are several sides to this. I think it is necessary for us to compromise."

THE DENVER POST

The columnist Cal Queal 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 Queal with a significant summary comment on the wilderness bill is as follows:

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

"OUTDOOR EMPIRE

"(By Cal Queal)

"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, N. Mex. The hearings are an opportunity for a last-ditch effort from opponents of the measure, who were opposed to such hearings until they saw the bill gaining enough support for possible enactment in the last Congress.

"As a delaying move for the bill's opponents, the tactic sort of backfired. Conservation interests have marshaled their forces to testify at the hearings and are making their opinions felt.

"Colorado conservationists are well represented in Albuquerque. Leading a four-man delegation from the State is Dr. Raymond R. Lanier, of Littleton, who is chairman of State parks and wilderness for the Colorado Izaak Waltonians. Also attending are three Denver men: Dr. Ernest Brunquist as a representative of the Colorado Mountain Club; Ed Hilliard, representing the Wildlife Federation, and George Kelly, representing the State's garden clubs.

"Dr. Lanier will present a three-point testimony favoring the bill, which, briefly 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. It doesn't preclude grazing, 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 misunderstood, sometimes willfully, 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 purposes and private gain.

"The charge has been made that unreasonably large blocks of land will be pulled out of circulation for special interests, meaning recreationists. Altogether, the primitive, wilderness, 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 acres 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 in new areas not now designated as wilderness or primitive in the national forests, or areas already included within national parks or wildlife refuges. Additions could be made only through a prolonged public procedure, and Congress would have the final say.

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

"The wilderness preservation council provided for in the measure would have absolutely no administrative jurisdiction over any area of land. Its duties would be fact-finding, informational and advisory only. The council would be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Smithsonian Institution, and three citizens appointed by the President and confirmed by the Senate.

"Charges that the council would be a built-in lobby are unfounded. If it were such, so would be the case for the grazing advisory boards set up for public lands under the Taylor Grazing Act, the State and local committees created by law to run the farm conservation programs, and the advisory board on national parks and historic sites.

"The original bill provided for a council that could conceivably have been called packed for recreation interests, but the revised bill certainly could not.

"The Forest Service had objections to the original bill—valid ones. They were concerned that the original bill would take away authority they must have to manage wilderness areas. This major objection and others have been removed.

"The bill will make wilderness preservation a firm national policy, whereas up to now it has never been recognized as even a legitimate one.

"With the pace of life in America increasing daily, the assurance that there will be a haven from living pressures in the future becomes more important than ever. The wilderness bill will insure that haven."

A week after the last hearing was held in the West, Cal Queal reported in his "Outdoor Empire" column in the Denver Post for November 20, 1958, that the oft-repeated and vague charges of the opponents of the wilderness bill are wearing thin. Cal Queal's November 20 article is as follows:

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

"OUTDOOR EMPIRE

"(By Cal Queal)

"It was obvious from the news out of Albuquerque, N. Mex., last week concerning the congressional hearings on the wilderness bill that opponents of the measure were there in force.

"But their oft-repeated and vague charges of 'conservation purism' and 'wildlife radicals' are wearing thin.

"By contrast, the viewpoints presented by supporters of the bill, including several Coloradans, were clear and well taken. The comments of two Colorado men were especially noteworthy.

"One of them was Ed Hilliard, a partner in Denver's Redfield Gunsight Co., who spoke as a member of the hunting industry—sporting goods dealers and manufacturers, motel and dude ranch operators, etc. He's also an outdoorsman, 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. The not-too-distant results of these trends could be the complete unavailability of the types of game that require relatively large tracts of terrain free of human influence."

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

wilderness and adjoining areas. He points out that timber and livestock industries have alternatives to the wilderness in pursuit of their livelihood, but that there is no alternative for elk.

"The manufacturer said he was not saying that large numbers of hunters use the wilderness.

"I do contend, however," he said, "that the wilderness areas serve as the magnet which attracts hunters and other users to a general area where the wilderness lies. The value or use of the wilderness, therefore, goes far beyond its use with respect to people actually setting foot in it."

"To people who say 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 national forests occurred far ahead of their time at the beginning of this century. Yet here we are only 60 years later running out, so to speak, of these irreplaceable assets."

"Another interesting viewpoint was presented by H. Ray Macht, of Pagosa Springs, president of the Colorado Wildlife Federation. His remarks were particularly interesting because Macht also is a prominent Colorado stockman. Grazing interests have marveled their top talent to speak against the bill, and it was refreshing to see someone like Macht supporting it.

"Macht runs cattle on land which his grandparents and father ranched before him, and he has a grazing permit on forest land. Here are a few of the things he said:

"My father and I have seen this good country hurt and civilized, but more recently have seen a good gain back to nature and beauty through conservation. * * * This part of the National Forest (a portion near Macht's ranch) is becoming littered, rutted, and very civilized. A few miles from the ranch is a wilderness area—it has remained natural and beautiful.

"No stockman wants to see vital watersheds wasted in any way—whether by overgrazing, by fire, or by erosion caused by wheel tracks and jeep roads. I believe protection by the wilderness legislation is a good answer to these problems.

"They (federation members) have assured me that their primary aim is to have something left in a wild form for their children and grandchildren to enjoy, as they enjoy it."

"That's a stockman speaking. We can't help but think there are many more like Macht, who have feelings on the matter entirely different from those of most livestock representatives who appeared at the hearings.

"Here are some charges opponents of the bill have used, along with the answers that take the starch out of them:

"There is the charge that grazing, and therefore the livestock economy of the West would suffer. In fact, there will be no change in the administration of wilderness areas regarding grazing privileges. Where grazing is now permitted, it will continue to be permitted, and under the jurisdiction of the forest service as in the past.

"The logging interests have objected. In fact, logging has never been carried out in wilderness areas, and there would be no change in this policy under the wilderness bill.

"Prospecting, mining and construction of water impoundments could be authorized in the areas when they were deemed to be in the national interest.

"Finally, the bill would create no new wilderness areas, but would add the protection of Congress to a land management system in effect since the early 1930's.

"The various opponents of the bill know these things, but have set up a smoke screen around the arguments for another reason. They know that when they want to move in on a wilderness area in the future, it's going to be a little bit tougher than it used to be.

"Considering that the lands concerned comprise only 2 percent of the Nation's acreage, and only 8 percent of national forest acreage, it should be tough—real tough—to take them over for private gain."

NATURE MAGAZINE EDITORIAL

Editorials in Nature magazine and in The Living Wilderness have commented significantly on the public interest in the wilderness bill, particularly with a bearing on the field hearings held in the West. The Nature magazine editorial in its November 1958, issue entitled "Speaking of Wilderness," is as follows:

[From Nature magazine, November 1958]

"SPEAKING OF WILDERNESS"

"When Chairman JAMES E. MURRAY of the Senate Committee on Interior and Insular Affairs, announced recently a series of field hearings on the wilderness bill in the West, he issued conservationists a challenge that they should be prompt in accepting and meeting.

"The hearings have been scheduled for Bend, Oreg., November 7, San Francisco, November 10, Salt Lake City, November 12, and Albuquerque, November 14. Senator RICHARD L. NEUBERGER will conduct the Bend and San Francisco hearings, Senator MURRAY himself the hearings in Salt Lake City, and Senator CLINTON P. ANDERSON the final one in Albuquerque.

"We can be sure that those opposed to making wilderness preservation a firm national policy will do their best at the hearings to attack this measure, which conservation forces have been developing for more than a decade. It is a proposal that has been designed to fit into existing programs and to avoid conflict with other interests, but so far the representatives of the other interests involved have seemed slow to recognize this. If they still are unconvinced by November we can expect to see them at the field hearings in November—stockmen, lumbermen, mining interests, and others—objecting vociferously to this sound proposal to save some of our national lands for wilderness.

"Conservationists must accordingly be sure to be at these hearings in force, ready to demonstrate that Americans really are interested in wilderness, ready to point out that this is indeed a reasonable program that does not harm lumbermen or other interests, and prepared to urge that it be enacted as promptly as possible while our wilderness preservation opportunity is still here.

"Senator MURRAY, himself a friend and co-sponsor of the wilderness bill, has acted with commendable promptness and decision in taking opponents of the bill at their word and scheduling this series of hearings in their own western regional centers.

"When proponents of the wilderness bill, a year earlier, sought to have field hearings arranged, Senators opposing the measure objected. Apparently they did not want to have the bill publicized and given the advantage of such hearings.

"When, however, widespread public interest in the legislation was apparent and its opponents faced the possibility of enactment in the 85th Congress, the prospect of hearings that could not be held until after Congress' adjournment seemed very enticing indeed.

"Insistence upon hearings in the West," as Conservation Director Charles Callison, of the National Wildlife Federation puts it, "was a final maneuver by opponents to prevent action on this important legislation in the 85th Congress."

"But even as American Forests, a perennially imaginative fault-finder as far as the wilderness bill is concerned, admits, the proponents of the bill withdrew from the 85th Congress 'in good order with their hand visibly strengthened for a renewed assault next session.' Enactment in the 86th Con-

gress was predicted by many, and the field hearings to be held during the congressional recess were recognized as a live transition to the 86th Congress.

"It is indeed time to see this wilderness policy and program finally enacted. More than 7 years ago it was, on our June-July 1951 editorial page, that we first enlisted in its support. 'The time has come,' we said then, 'to move positively and translate the wilderness thinking into specific terms of legislation.' We saw this then as an opportunity and a challenge to shift from the defensive to the offensive, and we have since continued to urge it along as an outstandingly important constructive program.

"The bill is needed because without its congressional sanctions the administrative programs so far successful cannot be counted on to endure in the face of pressures that obviously are increasing. It is urgent because the opportunity now to establish a wilderness policy and program without conflict cannot be expected to last.

"These are understandings that conservationists have had for some time. It is time now that they express them forcefully. These hearings offer each of us who resides within the Western States an excellent personal opportunity to do so.

"As Senator MURRAY has suggested, everyone interested in testifying should notify him at once—Senator JAMES E. MURRAY, Committee on Interior and Insular Affairs, U.S. Senate, Washington 25, D.C.—and tell him where the statement should be made—Bend, Oreg., November 7; San Francisco, Calif., November 10; Salt Lake City, Utah, November 12; or Albuquerque, N. Mex., November 14.

"Those unable to attend hearings are invited to send statements to Chairman MURRAY and indicate at which hearing they should be entered in the record.

"Thus by written statement, or better still by testimony, every conservationist in these Western States is given a personal opportunity to stand up and be heard in support of preserving some of our American wilderness wild and unspooled."

It is interesting to note that, perhaps somewhat facetiously, the editor of Nature magazine, Richard W. Westwood, commented in his "Contents Noted by the Editor" department in his February 1959 magazine that political good fortune seemed to have been coincidental with sponsorship of the wilderness bill. Mr. Westwood's good-natured comment is as follows:

[From Nature magazine, February 1959]

"CONTENTS NOTED BY THE EDITOR"

"Conservation's gains or losses in the 86th Congress are not yet completely assessable. No doubt there are Members of the new Congress not well informed on conservation issues, as well as others who have a good background in our field of interest. It is, no doubt, coincidence, but it is interesting to note that none of the many sponsors of the wilderness bill, whether Senator or Representative, Republican or Democrat, male or female, failed to return to the 86th Congress. On the other hand, some of the most active opponents of this legislation fell by the wayside in the last November election.

"R. W. W."

THE LIVING WILDERNESS

The Living Wilderness, published by The Wilderness Society, saw the field hearings as a challenge and an opportunity. The editorial in the magazine's Summer-Fall, 1958, issue was accordingly entitled "Challenge and Opportunity."

It was followed in the magazine by a detailed report entitled "Wilderness Bill Hearings," which included a summary of the testimony both against and for the measure at the July 23, 1958, hearings in Washington, D.C. These hearings have since been

printed by the committee and, thus available, make it unnecessary to present here the hearing report in *The Living Wilderness*, but it may be noted that this report, followed by the full text of the bill, did appear in the magazine's Summer-Fall 1958 issue on pages 34 to 45 inclusive and is there for reference.

The editorial in that issue is as follows:

[From the *Living Wilderness*, summer-fall 1958]

"CHALLENGE AND OPPORTUNITY"

"Conservationists who want wilderness preservation to become a basic national policy in the United States are facing one of the most striking challenges they have yet known.

"They are facing the challenge—and opportunity—of a series of four public hearings to determine what public opinion on wilderness preservation really is.

"These hearings will be held by the chairman and two other key members of the Senate Committee on Interior and Insular Affairs.

"They will be held in regional centers of the West—in Bend, Oreg., San Francisco, Salt Lake City, and Albuquerque, on November 7, 10, 12, and 14.

"Subject of the hearings will be the revised wilderness bill—S. 4028—a measure to establish a national wilderness policy and program.

"At stake will be prospects for enacting this measure in the 86th Congress.

"As reported in the 'News Item Feature' beginning on page 34 of this magazine, the revised wilderness bill was the subject of Washington, D.C., hearings held on July 23, 1958, especially for the agencies and organizations who had opposed the bill before its revision. These hearings revealed favorable changes on the part of Federal agencies and some organizations. Others reiterated opposition, although in some cases commending the revisions.

"Immediate outcome was the decision to hold field hearings, insisted upon by opposing Senators. This ended progress toward enactment in the 85th Congress, but, far from defeat, provided a vital transition to the 86th Congress.

"Responding to this challenge, realizing the opportunity, will require participation in these hearings by all who can and will represent the public interest in wilderness preservation.

"The organizations and individuals concerned should write at once to Senator JAMES E. MURRAY, chairman, Committee on Interior and Insular Affairs, Washington 25, D.C., and arrange to appear at one or another of the hearings.

"Two things that wilderness bill supporters will want to know in preparation for these hearings—what are the objections and what is proposed—are presented in the 'News Item Feature' in this magazine.

"The detailed reports of testimony at the July 23, 1958, hearings provide an insight into the opposition.

"As to what is proposed and why, the bill itself is the best answer. In the words of its chief sponsor in the Senate, HUBERT H. HUMPHREY, of Minnesota, 'the bill speaks plainly its own purposes and intentions.' Its complete text is on the concluding four pages of this magazine and well merits careful reading in full by all who are concerned with wilderness.

"Aware of the nature of their opposition, familiar with the proposal they support, conservationists who want wilderness preservation to become a basic national policy can well be expected to make the November 1958 field hearings on the wilderness bill a significant series indeed."

In its Autumn 1958 issue, published after the November field hearings had been held,

The Living Wilderness in its News Items of Interest department carried a report of the hearings released by the National Wildlife Federation in its *Conservation News* for December 1, 1958, "Wilderness Bill Hearings," as follows:

[From 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 Wildlife Federation's *Conservation News* reported on December 1, 1958. While uncovering little new about the lineup of organized support and organized 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:

"Public hearings held on the wilderness bill in four western cities last month disclosed little new about the lineup of organized support and organized opposition.

"Conservation groups unanimously urged passage of legislation, although some did not endorse all details of S. 4028, the latest version of the bill and the draft upon which the hearings were conducted.

"Trade association spokesmen representing the timber, oil, mining, and livestock industries—commercial users of the public lands—generally were opposed. As in the past many of their statements bore little relationship to the actual language and purpose of the pending legislation.

"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 following interesting sidelight, for example, was reported by F. Ross Brown, vice president of the National Wildlife Federation, who attended the hearing at Bend, Oreg.:

"A young lady representing the Junior High School of LaPine, Oreg., made a fervent appeal for enactment of the bill as a means of preserving these (wilderness) areas for her generation. She was followed by the president of the Junior Izaak Walton League club of Blue River on the Mackenzie. His statement also indicated the young people of this area feel they have an interest in the preservation of some of America's remnants of true wilderness."

"Letters 50 to 1 in favor of bill"

"Unattached witnesses supporting the bill, speaking only as interested citizens, showed up also at the other hearings. But the one-sided aspect of general public sentiment was demonstrated most clearly in the large volume of written statements and telegrams sent to the hearings for inclusion in the printed record. These came from people who didn't have travel expenses paid by an organization and who could not personally afford the time and cost of attending in person.

"Benton J. Stong, the official of the Senate Interior Committee who managed arrangements and details of the hearings, said more than 350 written statements and telegrams were received for the record at Bend. Similar communications numbered 315 at San Francisco, 299 at Salt Lake City, and 185 at Albuquerque.

"The communications, totaling well over 1,100, ran in the proportion of 50 to 1 in favor of the wilderness bill.

"It was difficult to classify all of the witnesses definitely as either pro or con because

some declared they were in favor of wilderness legislation but opposed to features of the pending bill. However, observers attending the Bend hearing estimated that of the 69 witnesses heard that day, a majority were in favor of S. 4028. Proponents had a definite edge among the 66 who testified at San Francisco, November 10. On the other hand, opponents who clearly outnumbered the advocates at Salt Lake City were cattlemen, irrigation groups, Chamber of Commerce officials, and Utah politicians who ganged up to denounce the measures. Opponents may have had a slight edge in numbers among the 42 witnesses at Albuquerque, November 14.

"Stockmen praise forest service"

"Opposing arguments echoed and re-echoed phrases like 'locking up natural resources,' 'class legislation,' and 'threat to development of the West,' according to William L. Reavley, of Salt Lake City, who attended all the hearings except the one at Bend.

"While such phrases were common, the idea also was expressed by the opposition that the present wilderness administration is quite all right and for the most part entirely adequate," Reavley reported. "The Forest Service received a great deal of praise at each hearing, particularly from the livestock groups. This is an entirely new refrain for the stockmen who in the past have denounced the Service as despotic and who have sponsored legislation to handcuff the Federal agency or take the grazing lands away from it."

"The stockmen said the bill proposes to eliminate grazing from the public lands, which it would not do. S. 4028 contains specific language protecting all existing grazing privileges, even on national forests wilderness areas.

"The loggers said it would 'create' or 'blanket in' huge new wilderness areas, which it would not do. Only areas already classified as 'wilderness,' 'wild,' or 'primitive' in the national forests and where logging is presently excluded, plus parts of certain national parks and wildlife refuges, would be affected. Additional wilderness areas could be established only through a long process involving public hearings and consideration by Congress.

"One Utah witness, representing county government, even testified the measure would remove lands from local taxation, something that could not happen because the bill applies only to lands already in public ownership.

"ORRR Commission used as opposition tool"

"A favorite argument, repeated by innumerable opposition witnesses, was that wilderness legislation should be delayed until the new Outdoor Recreation Resources Review Commission, created by the last Congress, completes its study 3 years hence. It is now clear that some of the leading congressional opponents of wilderness preservation actively supported the ORRR Act as a means of blocking the wilderness bill. This has been confirmed by the actions of Senators ARTHUR V. WATKINS, of Utah, and FRANK A. BARRETT, of Wyoming, who passed up the hearings in order to attend a meeting of the ORRR Commission in Washington, D.C., November 11 and 12. Both worked for the ORRR bill and subsequently were appointed as Senate members of the Commission. At the November meeting, they tried to get the new Commission to go on record opposing early enactment of the wilderness bill. They failed. Both Watkins and Barrett have been outspoken opponents of wilderness legislation. Both were defeated for reelection and therefore must relinquish their posts on the ORRR Commission when their terms expire December 31.

"Objectors ignore changes in bill"

"The fact that sponsors of the bill have modified the original version to remove objections and to protect existing private rights seems to have little effect on the opposition," Reavley reported. "The trend of the testimony indicates that many commercial organizations in the West are going to fight any bill recognizing wilderness. Their arguments went beyond the bill in many cases and discussed the entire philosophy of public lands.

"Some presented arrays of figures to show how much of the West is under the rigid hand of Uncle Sam and how much this retards progress. It was stated that government closer to home will produce better management of the resources. Another thought expressed was that each State should have the resources of the land within its boundaries developed exclusively for local use and not in any pattern of national need.

"Although much testimony appeared to miss the mark entirely, there were many witnesses who showed they had studied the bill carefully. Several suggested amendments they thought would make it more palatable. Some said S. 4028 doesn't go far enough and recommended strengthening amendments. Presiding Senators gave Indian representatives assurance that a section of the bill affecting their reservations would be changed, either by taking it entirely out of the bill or modifying it to require consent by the Indians rather than mere consultation.

"After the smoke cleared away the testimony of proponents could be boiled down something like this: They contend that wilderness recreation and enjoyment is one of the several multiple uses of the public lands and that wilderness values will be destroyed unless protected for that purpose. They contend this principle of multiple use, including wilderness, should be recognized by Congress rather than depend on mere administrative policy established and subject to change by a Secretary of Agriculture or other executive official. In essence, they believe this is about all S. 4028 does."

"Hearings endorsed as democratic way"

"In his summary NWF Vice President Brown said the Bend hearing was "a practical demonstration of a democratic way of handling questions concerning our wilderness areas, national parks, and wildlife refuges."

"The new bill to be enacted in Congress should, therefore, provide that after the national policy is established and boundaries for these areas set up, they should be changed only by legislative action that includes public hearings," Brown wrote.

"It is apparent that the extremists on the wilderness question have reconciled 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 wilderness preservation, seem to oppose any national legislation for fear it will restrict their sphere of influence and make it more difficult for selfish interests to invade these areas.

"Finally, such hearings as this one at Bend certainly should be beneficial in educating the general public and should 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, presided himself at the Salt Lake City hearing. Senator RICHARD L. NEUBERGER, of Oregon, conducted the Bend and San Francisco hearings, Senator CLINTON P. ANDERSON, of New Mexico, presided at Albuquerque. Senator

HENRY DWORSHAK attended the Bend and Salt Lake City hearings. Two newly elected U.S. Senators attended the Salt Lake session. They were FRANK E. MOSS, of Utah, and GALE W. MCGEE, of Wyoming.

"The wilderness 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 its 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 making use of these wilderness lands," and commented as follows in an editorial entitled "If We Have To."

[From the Living Wilderness, autumn 1958]

"IF WE HAVE TO"

"Advocates of the proposed National Wilderness Preservation Act have earnestly endeavored to avoid controversy and to see a national policy established through constructive cooperative efforts on the part of all concerned. They have espoused a bill that does not interfere with current uses of the areas involved but rather fits wilderness preservation into an overall program that includes other interests, too.

"Nevertheless responsible foresters, livestockmen, and others with commercial concerns seem determined to fight the proposal. As one long-experienced Federal official remarked with regard to the evidence of the field hearings in the West in November (reported on p. 30 of this magazine), those who have a commercial interest in making use of these wilderness lands, either now or in a future that they anticipate, are opposed to the bill, while all the rest of the interested 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.

"But those urging action can hardly continue longer to spend valuable time meeting objections outlined by opponents only to find that when the objections have been met the opposition continues. Reluctant as they may be to do so, the advocates of the bill must now recognize that some controversy is inevitable, and they must press on earnestly in the public interest as they see it.

"There is, of course, considerable satisfaction in having made every effort to be cooperative 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 at Bend, Oreg., when representing the Mazamas she commended the wilderness bill's 'nobility of concept' and commented that 'in this age of intense commercialization and fierce competition it is refreshing and stimulating to have a practical yet idealistic concept presented that insures permanent wilderness treasures for everyone.'

"If the process of making idealism practical must itself share the age's fierce competition, the conservationists who long ago learned to fight for the freedom of the wilderness can certainly be expected to meet the challenge."

SIERRA CLUB BULLETIN

A final example of public comment on the wilderness bill, particularly on the western field hearings, that will be of interest and help to Members of the Senate and

others interested is found in the Sierra Club Bulletin in a feature entitled "Wilderness Hearings—Report and Reply," on pages 11 and 12 of its January 1959 issue. This publication, issued by the Sierra Club from its San Francisco headquarters, first reprints a New York Times dispatch from Salt Lake City by Jack Goodman and follows this by a reply: Wilderness needs an automatic stay of invasion, first written as a letter to the New York Times by David R. Brower, executive director of the Sierra Club. This feature, comprising the New York Times dispatch and Mr. Brower's letter, is as follows:

[From Sierra Club Bulletin, January 1959]

"SENATE SCOUTS EXPLORE WESTERN WILDS"

"(Late in November the New York Times published a report on the Senate field hearings on S. 4028 that troubled many people. The days passed by and no replies were published. Finally an official of the Times suggested that the club's executive director reply, which he did. Unfortunately the New York newspaper strike arrived at the same time. Seeing that the interim between report and reply would be too long, the Times has given the Sierra Club permission to reprint the report. David Brower's reply follows the report.—EDITOR.)

"By JACK GOODMAN"

"SALT LAKE CITY.—Members of the Insular and Interior Committee of the U.S. Senate have been riding circuit this month—holding public hearings to determine whether there is a need for the establishment of a national wilderness preservation system to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. If such a system were to be established it would be administered by a specially created council or agency.

"In hearings conducted in California, Utah, and New Mexico in the last few weeks, supporters of the wilderness bill have thus far found themselves out-talked by water users who say the measure would seriously limit future power and agricultural developments; by foresters who say the bill would trim the timber potential; mining men who state natural resources would be locked up forever; and by sheep and cattle men who view the proposed Senate bill, S. 4028, as a threat to their livelihood.

"The touring Senators gave ear to a variety of groups, including representatives of the Dude Ranchers' Association who rode in from the range (aboard commercial airliners) to plead for more wilderness. Official representatives of such sportsmen's groups as the Utah Wildlife Federation and the Jackson Hole Chapter of Izaak Walton League as well as a wilderness-minded, semi-bearded poet all turned up at Salt Lake City hearings to argue for the preservation of the type of countryside that is getting to be in short supply.

"In response to appeals of this kind, however, Montana Rancher J. S. Brenner referred to wishful thinking and daydreaming, and added: 'Most of us share delusions of being pathfinders and feel we were born 100 years too late. We picture ourselves leading great explorations, trapping and hunting expeditions and Indian battles. But we can't bring back those cherished days by legislation and it seems rather pathetically useless to try.'

"Better hunting"

"The Wind River Outfitters' Association, represented at the Salt Lake City hearings by Rancher Leslie E. Shoemaker, advocated the perpetuation of big game herds in our area in the interest of better hunting, and therefore favored enactment of the wilderness bill without reservations. But bemused Senators, at the jampacked session in Salt Lake's Federal Building, moments later

heard another rangeland expert maintain that too much wilderness of the positive sort can and does lead to concentrations of elk that destroy feed and eventually destroy themselves through starvation.

"State land board and forestry officials, declaring that too much wild West was too much of a good thing, said that the wilderness envisioned by don't-destroy-the-scenery advocates would itself be destructive of scenic areas. And C. T. Olsen, former U.S. Forest Service supervisor who is currently Utah State Park and Recreation Commission director, warned that control of insect invasions and fire is extremely difficult in roadless wilderness of the type under discussion.

"Discussing a proposed airspace limitation which would bar flights over primitive areas, Utah's Gov. George D. Clyde called the notion ridiculous and said other provisions of the proposed measure violate the rights of Utah's Indians. He cited studies indicating that few recreation seekers now penetrate existing wilderness preserves, and asserted that the proposed wilderness preservation, superimposed on existing and adequate administering agencies, would be a single-interest council, serving no useful purpose, but adding to the burden of expense."

"The Governor, along with both opponents and proponents of the wilderness bill, drew attention to the fact that wilderness areas, primitive areas, wild areas, and roadless areas already exist under the jurisdiction of the U.S. Forest Service, along with wilderness areas within the national parks. It was made plain that fewer than 2 percent of all recreation seekers seem aware of the existence of such areas—a matter that irks many westerners.

"One Montana stockman, discussing the fortunate few who have time and money to hire professional packers and outfitters, asked: How about the average citizen? The easterner or westerner with a short vacation can only drive by these sacrosanct areas at a respectful distance and try to imagine the scenery, the hunting and fishing delights of roadless country. That can by no stretch of the imagination be called democracy, nor can it be honestly claimed to be preserved for all the people."

"Chiefly under scrutiny at the Senate committee hearings are the 78 wildlands areas, comprising 14 million acres, administered by the U.S. Forest Service. Except for a relatively few areas heavily used by the public, the flora and fauna and historical values of the national parks in the West are already preserved in perpetuity, with grazing, lumbering and mining to all intents and purposes prohibited.

"Better conservation

"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 lands. 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 parks under which fallen timber may be left to rot, spread disease or cause fire hazards.

"Under the multiple-use concept controlled grazing is permitted, mining operations can be carried out, ski runs cleared and forest roads cut to picnic areas or lakes—situations that cannot prevail in the 78 wilderness, wild, primitive or roadless areas under Forest Service jurisdiction.

"From the vacationist standpoint, the existing wilderness areas deserve thoughtful consideration in both short-range and long-range terms. Of immediate concern, this off season gives opportunity to weigh the prospects for 1959 summertime visits to such typical wilderness regions as Utah's backcountry Uinta primitive area of 243,957 acres; to the Anaconda-Pintlar, Spanish Peaks or Absarokee primitive areas in Montana; Wyoming's Wind River range; or the 11 wilderness areas comprising 800,000 acres in Colorado.

"Some wilderness purists prefer to hoof it into such regions, others arrange pack trips from dude ranches. In most cases, the "Wild West" being what it is today, sizable towns are situated near the end of pavement close to the preserves, and it is possible to park the family station wagon, rent a few horses, with or without guide, and enter the back country with comparative ease.

"National forest wilderness areas are governed under protective regulations (which will continue whether or not the wilderness bill passes) providing that there shall be no roads or other provision for motorized transportation, no commercial timber cutting, and no occupancy for hotels, stores, resorts, summer homes, organization camps, hunting or fishing lodges * * * so any shelter must be of the visitor's own providing.

"Under the vagaries of past legislation, 'wild' and 'wilderness' areas are virtually alike except that the latter are larger; 'primitive' areas differ from 'wild' and 'wilderness' preserves only in that they were established earlier in the Nation's conservation history; while 'roadless' areas are not necessarily wholly without roads, since traffic arteries and livestock routes sometimes lead to private enclaves within preserves—ranches, mines, and suchlike which preceded establishment of the wildland tracts.

"The High Uintas primitive area in Utah, fairly typical of the regions which have been the focus of the preservationist uproar, was established as long ago as 1931. It contains 13,498-foot Kings Peak, highest in Utah; encircles fully 1,000 mountain lakes including an estimated 100 which have never been fished; encompasses grassy parks first visited by Robideaux, Bridger, and other mountain men; and protects a goodly supply of elk, bear, lynx, Bighorn sheep, and spectacular scenery.

"The Bridger wilderness area in Wyoming, just north of Pinedale in the Wind River country, contains 13,785-foot-high Gannett Peak, highest in that State, and scenery comparable to the more accessible Jackson Hole region. In Colorado, the 62,600-acre Maroon-Snowmass wild area is barely a brisk walk, for seasoned hikers, from Aspen. In contrast, the San Juan wilderness area in the Durango region is far enough from civilization to shelter most of the State's remaining grizzly bears.

"At the hearings they have been holding across the West, Senators have been meeting not a few citizens who have enjoyed camp in the Bitter Roots of Idaho, the Uncompahgre wild area of Colorado, and the Spanish Peaks of Montana. These hearty souls have impressed upon the legislators the fact that wilderness country holds a special place in the hearts of a dedicated, well-organized group of citizens.

"Scenic regions closed

"But the Senators have also learned that for every man who hikes into the back country, hundreds are obviously satisfied with what they can see in comfort from paved highways, while an intermediate number of tourists are a bit irked at finding scenic regions closed off to them by lack of passable highways.

"To most nonpartisan observers attending the hearings, it would appear that the multiple-use philosophy of the Forest Service

concerning most lands under its jurisdiction, coupled with the present availability of wilderness lands kept pristine both by the Forest Service and the National Park Service, provide the necessary balance of acreage for those who want their West wild and those who want their western scenic regions accessible.

"Whatever the Senators, in their wisdom, decide to do as the result of the hearings, however, it might be a good idea for more vacationists to visit the fringes of the wildlands to see for themselves what all the shouting is about. (The New York Times, Sunday, Nov. 23, 1958.)"

"REPLY: WILDERNESS NEEDS AN AUTOMATIC STAY OF INVASION

"SAN FRANCISCO, CALIF., December 19, 1958.

"TO THE EDITOR OF THE NEW YORK TIMES:

"Mr. Jack Goodman's article (Times, November 23) about the Senate field hearings on the wilderness bill was recently shown me by several people—in Rochester, Boston, New York City, Washington, Chicago, and now in San Francisco—who were disturbed by it and urged that it be answered. In the intervening period I have questioned individuals who attended all four hearings—in Bend, Oreg.; San Francisco; Salt Lake City (from which Mr. Goodman filed); and Albuquerque. Their observations correlated with my own at the Bend and San Francisco hearings. The consensus: although Mr. Goodman's piece has an aura of impartiality, there is deep bias 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 reversed this distinction. To avoid the same pitfall, let me say that I strongly favor the proposed National Wilderness Preservation System and believe its creation can be the most important 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 descriptions of opponents are straight reporting, but those of proponents are colored.

"(3) The scant mention of proponents' arguments is immediately answered by an opponent's statement, and at length.

"(4) The proponents are described as 'out-talked' by the opponents, whereas I am afraid they were only outreported by Mr. Goodman. In my own biased view, opponents' arguments sounded like mimeographed versions of an original distortion. In San Francisco the proponents outnumbered the opponents by 39 to 22; the press coverage was equitable, as in Bend, and editorial comment favored the bill.

"With 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 cursory at best. If he found time for nothing else, he should have considered carefully the Times editorial of June 23, 1957, before contradicting its carefully considered language with an article seriously short of documentation. That editorial closed with a sentence worth remembering: 'The wilderness bill has met with a bureaucratic and a special interest opposition that its moderate and reasonable terms do not deserve.'

"One could hardly listen in on any of the hearings without realizing that the very opposition of the special interests in itself compellingly argues the need for the wilderness

bill. They must know that the present protection of wilderness is conveniently weak—weak enough to allow commercial exploitation of these dedicated areas without too much trouble. The bill's added protection would make that exploitation harder (by providing for congressional review of what the various administrators choose to add to the System or delete from it), and therefore, they think, should be opposed with vigor. For that very reason the bill should be supported with vigor by the public as a whole.

"A living wilderness, for which the proponents of the bill seek better protection, lives but once. The force of creation, uninterrupted by man's technology, has flowed there since the beginning. For all his intelligence, man has not yet learned how to restore wilderness or to phrase the questions which wilderness alone may be able to answer about the life force. Obliterate that wilderness and, as the physicist, Dr. J. A. Rush, of Texas, has said, man will have cut himself off from the evolutionary force that put him on this planet and in a deeply terrifying sense will be on his own.

"How shortsighted dare we get, or dare our reporting be? Wilderness is not now safe enough if its would-be invaders advocate status quo in its defenses. It needs an automatic stay of invasion from the Congress. For this fragment of living wilderness is all there is, and all that remains for future generations to inherit. It 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 gain? That which the resource developers now seem to covet to the last commercial crumb amounts to but 2 percent of the area of the contiguous United States, and it contains the only two places where anyone can get more than 10 miles from a road. Only a little of that 2 percent is of appreciable commercial value and that little has an irreplaceable intangible value as wilderness. The small commercial potential 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 and not over them.

"The proponents' case is summed up, in another context, by Romain Gary, who, in 'The Roots of Heaven,' has his man Laurentot saying:

"It's absolutely essential that man should manage to preserve something other than what helps to make soles for shoes or sewing machines, that he should leave a margin, a sanctuary, where some of life's beauty can take refuge and where he himself can feel safe from his own cleverness and folly. Only then will it be possible to begin talking of a civilization. A utilitarian civilization will always go on to its logical conclusion—forced labor camps."

"Sincerely yours,

"DAVID R. BROWER,

"Executive Director, Sierra Club."

NEW USES AND NEW MARKETS FOR FARM PRODUCTS

Mr. CAPEHART. Mr. President, I introduce for appropriate reference a bill to find new uses for farm products and new markets, through research and other means, for farm products. I ask that the bill lie on the table until Monday, so that other Senators may join as cosponsors of the bill, if they wish to do so.

A bill similar to this has been introduced by myself and, I think, as many as 40 or 50 other Senators for the last 4 or 5 years. Last year the Senate passed

this type of bill, in substance, by a vote of 82 to 0. The bill did not pass the House.

Mr. President, I ask unanimous consent that the bill be printed as a part of my remarks and that a statement I have prepared be printed also. I ask, further, that the names of the cosponsors be printed, including those who may later wish to be cosponsors of the bill.

I know of nothing which is more important than the solving of the Nation's farm problem. I am one who has believed for many years that the only way in which this problem can be solved is to find new uses and new markets for farm products, because the problem is overproduction. I do not think the problem can be solved by reducing the production of the farmers. I think new 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 is good economics.

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

The bill (S. 1124) to provide for a scientific study and research program for the purpose of developing increased and additional industrial uses of agricultural products so as to reduce surpluses of such products and to increase the income of farmers, and for other purposes, introduced by Mr. CAPEHART (for himself, Mr. AIKEN, Mr. BRIDGES, Mr. CARLSON, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. CHAVEZ, Mr. EASTLAND, Mr. GOLDWATER, Mr. HRUSKA, Mr. MARTIN, Mr. SCHOEPEL, Mr. SPARKMAN, Mr. ALLOTT, Mr. BEALL, Mr. DIRKSEN, Mr. YOUNG of North Dakota, Mr. LANGER, and Mr. MUNDT), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

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

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 productivity of farms in the United States is substantially in excess of current markets for their products at price 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 depressed farm prices resulting from overproduction or with acreage curtailments to avoid overproduction.

(c) It is in the national interest of the United States to increase the level of farm income in order that farmers may continue to share to a greater degree in the general prosperity of the Nation.

(d) No program has been developed, and none can be foreseen, that can successfully shrink farm production for an extended pe-

riod of time; but research programs provide known means potentially to increase substantially the industrial uses of agricultural products and thereby to achieve farm prosperity based on full, rather than curtailed, production.

(e) Research facilities, both private and public, including those of land-grant colleges and universities, can and should be utilized for an all-out attack on the development of increased and additional industrial uses of agricultural products to enlarge opportunities for increased production by farmers and to reduce Government costs for the acquisition, storage, and ultimate disposition of agricultural commodities which are now a substantial financial burden to the Government.

(f) The cost to the United States of such a research program may be expected to be more than offset by increased tax revenues resulting from increased earnings of both farmers and those who sell goods, wares, and merchandise to farmers, as well as by savings to the United States in costs of current agricultural assistance programs.

PURPOSES

SEC. 2. The purposes of this Act are to find and develop through research, sponsored and financed by the United States, new industrial uses, and increased use under existing processes, of agricultural products.

ADMINISTRATION CREATED

SEC. 3. There is hereby created in the executive branch of the Government an Industrial Agricultural Products Administration (hereinafter referred to as the Administration), in which is vested the duties, powers, and responsibilities hereafter set out in this Act. Such powers, duties, and responsibilities of the Administration shall be vested in an Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall serve during the pleasure of the President. The Administrator shall receive compensation at the rate of \$22,500 per annum.

DUTIES, POWERS, AND RESPONSIBILITIES OF THE ADMINISTRATOR

SEC. 4. The Administration shall conduct research, both scientific and chemical, make field studies, conduct both laboratory and field experiments, test production procedures on a commercial basis, maintain and expand pilot plants whenever necessary, maintain and operate manufacturing facilities where necessary to prove the commercial feasibility of volume production, and otherwise promote the finding, development, and commercial use of new, increased, extended, and perfected processes, techniques, and programs for industrial uses of greater quantities of agricultural products.

POWERS OF THE ADMINISTRATION AND THE ADMINISTRATOR

SEC. 5. The Administration is authorized to:

(a) Utilize such existing facilities of the United States, and such trained personnel employed by the United States, as the President finds can feasibly be transferred to the Administration for carrying out the purposes of this Act. The President is hereby authorized to (1) transfer any such facility, facilities, or personnel to the Administration, or to (2) make any such facility, facilities, or personnel available to the Administration for carrying out the purposes of this Act.

(b) Build, purchase, or lease plant facilities, or necessary equipment, suitable for research, pilot plant, manufacturing, or other needs of the Administration in carrying out the purposes of this Act.

(c) Employ such personnel as may be necessary to carry out the purposes of this Act; and all technical or scientific employees engaged for research by the Administration

shall be exempt from the civil service laws and regulations.

(d) Employ or retain on a contract basis individuals, firms, institutions, and organizations, public and private, 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 suitable and acceptable suggestions to implement the program established by this Act, such payments to be made in accordance with previously published rules stating the amounts of, criteria for determining, and subjects of, such awards.

SEC. 7. The Administrator is authorized to appoint Industry Advisory Committees and to employ consultants without compensation or at rates of compensation not to exceed \$50 per diem.

SEC. 8. The Administration may make grants to accredited schools, colleges, and universities for fellowships and scholarships in research for the purposes of this Act.

INDUSTRIAL AGRICULTURAL PRODUCTS AGENCY CREATED

SEC. 9. There is hereby created in the Department of Agriculture an Industrial Agricultural Products Agency (hereinafter referred to as the "Agency"). The duties, obligations, and responsibilities of the Agency shall be carried out by and under the direction of the Secretary of Agriculture.

DUTIES AND RESPONSIBILITIES OF THE AGENCY

SEC. 10. Under the delegations, directives, and policy determinations of the Administrator, the Agency shall carry out all of the duties, obligations, and responsibilities imposed upon the Administration by this Act, including the making of research contracts, employment of personnel, contracts for the construction, purchase, lease, or other acquisition of real or personal property, and the maintenance of all records, files, studies and other data undertaken pursuant to this Act. Notwithstanding any other provisions of this Act, the Administrator may delegate any power given him hereunder to the Agency, and he may control, supervise, and direct all Agency action permitted by law under this Act.

SEC. 11. The Administrator shall report semiannually to the Congress progress on research programs undertaken pursuant to this Act to find and develop new and increased industrial uses for agricultural products.

SEC. 12. The Agency may license, at a fair and reasonable royalty, any person, firm, or corporation to use any process 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 nondiscriminatory. Whenever the Administrator finds it in the public interest to do so, he may grant royalty-free licenses for processes developed under this Act, including the right to make and sell under any patent or application for patent of the Agency.

APPROPRIATIONS

SEC. 13. There is hereby authorized to be appropriated to the Department of Agriculture, for the Industrial Agricultural Products Agency, the sum of \$100,000,000 for the fiscal year beginning July 1, 1959, and the same amount annually thereafter. There shall be paid out of such appropriations the salary of the Administrator as well as all other expenses of his office. The President is authorized to transfer to the Agency \$1,000,000 out of unexpended Agricultural Department funds to initiate promptly this program following the enactment of this Act for and during the fiscal year ending June 30, 1959.

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, a bill which, as I have said on the floor of this Senate on numerous occasions heretofore, will provide a far-reaching and permanent solution of the farm problem which has been with us for these many, many years.

It is a bill to provide a \$100 million federally directed program of research and development to discover and perfect new uses for the everyday products of the American farm in industry.

It is identical with bills which I and other Senators introduced in the 84th and 85th Congresses. It is similar to a bill which was passed without opposition by the Senate in the 85th Congress and died in the House of Representatives.

It is a bill which agrees in theory and differs only in detail with the recommendations of the President's Commission on Increased Industrial Use of Agricultural Products created by an act of Congress with the full support of both Houses.

CONGRESS MUST SOLVE FARM PROBLEM

I know of no man who has studied and knows the facts who will disagree with the statement that the patchwork, makeshift farm laws under which we have been operating since the 1930's have been a miserable failure.

To finance that failure has cost the taxpayers of the United States in the neighborhood of \$40 billion.

That figure represents more than 15 percent of the farm income in the same period.

All of us agree that some of the laws under which we have been operating have been good laws to meet an immediate, emergency situation. We have all recognized the need for stopgap measures, price-support provisions.

We have agreed with and supported those provisions under which this Government has financed research to teach the farmer how to produce more and more on a given amount of land. That has been money well spent and I have supported it.

So, even with reduced acreages we have continued to produce more and more and piled it up in costly and price-depressing surpluses.

What we have failed to do at the same time was to provide an equal amount of money to develop for the farmer new markets which would assure him, without any price supports at all, a market at a fair price for every ounce of crops he could produce on every acre of land he had to till.

By failing to do so, Congress and administrations over a long period of years have failed the American taxpayer in general and the American farmer in particular.

Those who admit the failure of our farm programs have included Presidents of the United States, Secretaries of Agriculture, and all of the leading farm organizations. The responsibility for that failure must be shared by everybody who has had anything to do with it. And that includes the Congress perhaps more than anybody else.

CORRECT OUR FAILURE NOW

We can now correct our error, on a long-range basis, through the passage of this bill. We can, thereby, not only correct failures of the past. We can, in addition, assure an era of permanent farm prosperity so important to the overall economy of the Nation.

Yes; we have failed. We must not fail again.

Now, what are some of the results of a failing farm program?

Well, one of the most glaring failures is the accumulation of Government-owned surpluses now estimated to have cost something over \$9 billion.

I wonder if Senators know that it costs us \$1½ million a day just to store that surplus. That's almost \$550 million a year.

I wonder if they know that the interest on the money it took to buy that surplus cost us, in 1958, about \$365 million.

Add it up. That's almost \$1 billion a year, and I predict that if something isn't done to correct the situation the combined storage, interest, and handling charges will, within a year or so, exceed \$1 billion a year. That simply cannot go on and on.

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 DOWN

Now, what else has happened under our failing 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.

Farm families of the Nation, on an average, now have only about 50 percent of income parity with other groups. That is inexcusable.

This has happened under farm programs submitted by Secretaries of Agriculture, approved by Congresses, and signed into law by Presidents of the United States at a cost of nearly \$40 billion to the American taxpayer.

What else has happened?

Since the Korean war, the number of our farms has decreased by more than 1 million and farm employment by almost 3 million. Meantime, our total population has increased by about 30 million.

In the past 13 years it is estimated that farms of 50 acres or less dropped from about 4 percent to 2½ percent of total farm acreage, and that farms of 50 to 500 acres dropped from about 45 percent to below 38 percent; whereas farms of more than 500 acres rose from below 51 percent to almost 60 percent. Noncommercial farms and the substandard commercial farms, with sales below \$2,500 per year, accounted for about 12 percent total farm sales in 1949, but are estimated at only 7 percent in 1958.

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 62 percent to about 58 percent. The large to giant size farms, with sales about \$25,000 per year, have expanded from 26 percent of total sales to 35 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 an agricultural and industrial prosperity the like of which this country has never seen before.

When you produce, through research, a new product, you create demands for 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 would it cost? I have suggested that we start with a continuing appropriation of \$1 million a year to get this

program under way on a crash basis. Remember, gentlemen, our surpluses 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, of course, it would mean to the farmer a new life of productivity. It would provide prosperity for him. It would permit him to follow his natural instinct to get everything he can out of his land.

Second, it would create new jobs. Obviously, the demand for farm labor would increase. But its effect on industrial labor generally would be even more phenomenal. Entire new industries with millions of new jobs would come into being—industries 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, I am convinced, just about every other category of business customer in the United States would have more money to spend for just about everything business has to sell.

Fourth, such a program would, in my opinion, mean the end of a tremendous tax burden now imposed to finance our vast agricultural assistance and storage programs of the moment—a burden which we gladly bear as long as it is necessary, but a burden which all of us will agree would be a welcome deletion from our national budgets. If we can bring this about—and I believe we can—it would enable us to reduce taxes substantially and to make it easier to retire the national debt at a faster pace.

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

Now, I don't want to be misunderstood about existing research. The Department of Agriculture has been doing some very worthwhile experimental work. Our fine agricultural and technical schools are working at it constantly. We have some very limited utilization research plants under Government management. Within their limited facilities, all of these agencies have been doing a good job.

But, what I am talking about here is a much more comprehensive effort, a job with top priority 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 begin to see tangible results of such a program within a reasonably short time. I believe that the Department of Agriculture and our research people have enough technical knowledge right now that, given a real opportunity to carry through, they can find industrial uses for 5 billion additional bushels of grain—corn, wheat, rye, barley, oats, rice, sorghum grains and others—each year.

Remember that we produce only about 6½ billion bushels now and that in some years as much as one-third of that amount has been surplus. It takes about 180 million acres to produce our present output. Add another 5 billion bushels to a real and continuing demand for grains and you begin to see the almost fantastic possibilities of this program we are talking about.

The great chemical and petroleum industries 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 amount of money industries have plowed 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 \$3 billion a year, or 3 percent of gross sales in research. The result is obvious in a constant flood of new and improved products—fabrics, plastics, building materials, surface coatings, detergents, 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 6 million farmers ought to do this for themselves. I wish they could. But I believe there is general agreement among those who have studied the problem that here is a job the farmers simply cannot do for themselves.

Most of us remember not too many years ago when the production power on the farm was restricted to animal power, horses and mules. It has been estimated that this animal power consumed the production equivalent of some 80 million acres of feed grains.

The animal power is obsolete and there has been little or no research to develop new markets for the production of that 80 million acres.

I believe all Senators are familiar with what research did for the citrus industry at a time when it admittedly was in bad shape. The quick freezing process, perfected in part through research conducted by our own Department of Agriculture, reversed that economic trend. Not only was the industry stabilized, but new demands brought vast expansion, and every man, woman, and child in the United States enjoyed a potential benefit because of the greater accessibility of the healthful benefits of fresh citrus fruit juices.

Then, have a look at what once was called the lowly soybean. The earliest records show that a Chinese emperor in 2838 B.C. wrote of the highly valued nutritional qualities of the soybean. Yet it was not until about 1930 that research spearheaded by the late Henry Ford—research for industrial uses of the soybean—that this crop started the upward trend that has made it one of the great money crops of today.

It has long been my hope that we could use alcohol produced from grain as a part of our motor fuel. European countries have blended alcohol into their gasoline up to 25 percent. Were we to blend alcohol into our gasoline to the extent of 10 percent, it would require about 2 billion bushels of grain a year. In other words, that one use alone would go a long way toward solving the grain-surplus problem.

Admittedly, gasoline now can be produced cheaper than alcohol. However, I am thoroughly convinced that a broad program of research will lower the cost of producing alcohol from farm products.

At the present time when we make alcohol out of farm products we have a protein residue that is a very valuable food for animals. However, with improved methods brought about by research and trial commercialization, it is believed that the alcohol can be extracted and the protein residue will be a fine human food. Its value will then be many times greater than its value for

livestock food. The alcohol would then become more or less a byproduct and it can be sold at a price that it will compete with gasoline for a part of this motor-fuel market. Who knows?

Our surpluses are primarily starches. From starch we make alcohol and from alcohol we can make rubber, we can make plastics, we can make a thousand and one things that are now being made from other materials.

These include solvents, surface coatings, plastics, chemicals, fibers, films, explosives, adhesives, lubricants, insecticides, drilling muds, paints, varnishes, and even paving materials.

Let us, for the purposes of this statement, discuss just exactly how this bill would work:

There is created in the executive branch of the Government an Industrial Agricultural Products Administration under the administrative direction of an Administrator, to be appointed by the President by and with the consent of the Senate.

The Administration shall conduct research, both scientific and chemical, make field studies, conduct both laboratory and field experiments, test production procedures on a commercial basis, maintain and expand pilot plants whenever necessary, maintain and operate manufacturing facilities where necessary to prove the commercial feasibility of volume production, and otherwise promote the finding, development, and commercial use of new, increased, extended, and perfected processes, techniques, and programs for industrial uses of greater quantities of agricultural products.

The Administration would be empowered to utilize existing facilities of the Government to carry out the program. It could build, purchase or lease plant facilities, necessary equipment, pilot plant, manufacturing or other needs to carry out the program.

In addition to this, however, the Commission might employ private industry—individuals, firms, institutions and organizations—and the services of land-grant colleges and universities to conduct research. Incentive awards are provided for. Industry advisory committees would cooperate. Consultants might be employed with only per diem pay. Grants to accredited schools, colleges and universities for fellowships and 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 enterprise. It is provided that the Industrial Agricultural Products Agency of the Department of Agriculture may license, at a fair and reasonable royalty, any person, firm, or corporation to use any process 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 nondiscriminatory. Whenever the Administrator finds it in the public interest to do so, he may grant royalty-free licenses for processes developed under this act, including the right to make and sell under any patent or application for patent of the Agency.

Yes; the possibilities are limitless, 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 160 millions of bushels of wheat a year, the production equivalent of 7½ million acres.
2. Metallurgical oils from grain.
3. Oil, as a grain derivative, for use in the manufacture of paint.
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 we produce 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 gluten in grain.

6. Ethyl alcohol from grain to be blended with gasoline. If just 10 percent of the blend was ethyl alcohol made from grain, it would require more than 2 billions of bushels of grain a year. That alone would absorb the grain surplus.

Now, there are many more potential uses of which we already know. Some say, and correctly so, that the cost of some of these uses would be so great as not to be practicable or competitive. Who knows? Finding ways to reduce the cost, make 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 estimated that these 11 uses would consume 2.6 to 2.7 billion bushels a year if fully developed by the program here proposed. They are as follows:

1. High protein food by fermentation, 150 million bushels a year.
2. Paint from vegetable oil, if 5 to 10 percent of the potential 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 30 million bushels a year.
5. Increased use of starch in paper, 40 million to 100 million bushels a year.
6. Industrial exploitation of oxystarch, 10 million bushels a year.
7. Raising disease-free poultry for export, 13 million bushels a year.
8. New drug plants, 4½ million bushels a year.
9. Hardboard, boxboard, and building board from wheat, 20 to 40 million bushels a year.
10. Development of high amylose corn, 10 million bushels a year.
11. Blending 10 percent grain alcohol with gasoline, 2 billion bushels a year.

There are a great many other possible uses which have been called to my attention. These include smokeless powder, plastics, medicinals, toilet preparations, soaps, cleaners, anesthetics, antifreeze, dyes, varnishes, and synthetic fuels.

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 pulpwood 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 special crops points out that we can make not only paper but furniture and specialties from bamboo. They further point out that you can produce bamboo in the South from South Carolina to Texas and the coastal and Piedmont areas.

It will grow faster than the pine. This crop could be expanded for industrial purposes so that we could use a million acres of bamboo. This crop alone might solve the surplus problem facing cotton farmers.

We must remember always that what helps any segment of American agriculture helps all of American agriculture, and although I am a Hoosier, I am just as interested in the problems of the Cotton Belt as any other area.

I could go on and on with possibilities. New ones are reported from time to time. But, they are going to remain just possi-

bilities unless we do something about it and do it now.

I am sure that most of you are familiar with and admire as I do the work of Mr. Wheeler McMillen, vice president of the Farm Journal and a recognized authority in this field. Called upon to comment in 1956 on the first bill of which I was the principal author, Mr. McMillen said, in part:

"If the Congress will adopt the principles of this bill and will provide adequate funds through the years, it will have taken the longest and soundest possible step toward making agriculture a permanently prosperous, expanding industry.

"It will add new products for the American standard of living. It will build new factories and create new jobs for years ahead.

"It will provide for American industry unfailing sources of raw materials, materials which will ever be renewable, annually reproductive as long as soil and water are conserved.

"It can in time remove, probably forever, the urgency of agricultural subsidies.

"It will work toward making American agriculture the growth industry that farmers want it to be. It will provide expanding opportunity for the family farm. It will make it possible for our fine farm boys and girls to live and prosper on the land they love.

"This proposal offers, in short, an infallible plan toward a richer rural civilization and, therefore, toward a better America."

In this position, he is joined by very distinguished company, including the heads of our farm organizations, deans of schools of agriculture, farm publication policymakers, newspapers editorial writers, scientists, economists, and many others.

The principle involved here has been supported by the American Farm Bureau, the National Grange, National Council of Farmer Co-ops, National Farmers Union, Reed Research, Inc., National Cotton Council, Corn Industry Research Foundation, National Farm Chemurgic Council, various leaders of organized labor, leading research scientists, experts from agricultural colleges, the Farm Journal, the Chemurgic Digest, the Oil and Gas Journal, the Indiana Farmers Guide, the Washington (D.C.) Star, Chicago Tribune, Cleveland Plain Dealer, Indianapolis News, Indianapolis Times, Indianapolis Star, South Bend Tribune, Hammond Times, Plymouth (Ind.) Pilot-News, Philadelphia Inquirer, Omaha World-Herald, Syracuse (N.Y.) Standard, LaPorte (Ind.) Herald-Argus, Kokomo Tribune, Lafayette Courier-Journal, and other farm magazines and newspapers.

I have the greatest admiration for our great schools of agriculture, one of the finest of which, Purdue University, is in my home State of Indiana. They have been and are doing an outstanding job. They are doing a great job for our agricultural industry.

So are our county agents, our extension schools and our 4-H Clubs. They have helped immeasurably to make ours the best fed Nation in the world. Every cent spent on their activities has been well spent. We should continue their programs and make them ever-expanding. The part they could play in the research program here suggested would be just as immeasurable—just as valuable.

As a businessman and a farmer, I know of only two ways to increase business. One is to sell more goods to existing customers. The other is to find new customers. We are selling all we can of our farm produce to existing customers. So, we must find new uses and new customers if we are going to solve permanently the farm problem.

It is time all of us admitted openly and frankly that our farm programs have failed to produce a permanent solution of one of the most serious problems of our Nation.

It is time to provide that solution by beginning to spend, through such a program as is proposed in this bill, a million 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 joined in introducing this bill by the senior Senator from Alaska [Mr. BARTLETT], the junior Senator from Alaska [Mr. GRUENING], my senior colleague from Oregon [Mr. MORSE], the senior Senator from Montana [Mr. MURRAY], the junior Senator from Montana [Mr. MANSFIELD], the senior Senator from Minnesota [Mr. HUMPHREY], the senior Senator from Colorado [Mr. ALLOTT], the senior Senator from California [Mr. KUCHEL], the junior Senator from California [Mr. ENGLE], the senior Senator from Nevada [Mr. BIBLE], the senior Senator from Florida [Mr. HOLLAND], the junior Senator from Massachusetts [Mr. KENNEDY], the junior Senator from Idaho [Mr. CHURCH], the junior Senator from Utah [Mr. MOSS], and the junior Senator from Wyoming [Mr. MCGEE].

Mr. President, terms of the bill which I present today are similar to those contained in the measure which I submitted to the Senate on July 2, 1958, on behalf of myself and other Senators. Appropriations of \$11 million a year for the 6 fiscal years beginning with fiscal year 1961 would be authorized for expenditure on improvement of the Alaska Highway and the Haines Cutoff, on the condition that the Government of Canada participate equally in the program. The bill provides that, in addition to sharing the cost of hard surfacing this section of highway, the Canadian Government agree to maintain it after completion of the project and make it accessible on free and nondiscriminatory terms to U.S. traffic.

Amounts cited in the bill are based on studies made by the Bureau of Public Roads. Total cost of the work is estimated at approximately \$125 million, including about \$15 million for making the 110-mile connection with Haines into an all-weather road.

The Alaska Highway extends from Dawson Creek, British Columbia, to Fairbanks, Alaska. Some 300 miles of this highway in Alaska are paved. The remaining 1,200 miles within the borders of Canada are surfaced only with gravel, except for a 50-mile stretch north of Dawson Creek.

Mr. President, a brief informative memorandum describing the background and status of the Alaska Highway has been prepared for me by Mr. Theo Sneed, technical staff member of the Senate Public Works Committee and a colonel with the United States Army Corps of Engineers detachments which constructed this great project during World War II. I ask unanimous consent that this memorandum be printed at this point in my remarks.

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 U.S. Army in 1943. A pilot road was pushed through the area by engineer troops from March to November 1942, being widened and relocated where necessary, to provide a two-lane graveled surface, with drainage and bridges, by American and Canadian contractors working under the supervision of the Bureau of Public Roads during the 1942 and 1943 working seasons.

The Alaska Highway as then completed extended from the end of the railroad at Dawson Creek, British Columbia, Canada, to Fairbanks, Alaska, a distance of about 1,550 miles. From Dawson Creek the highway passes through Fort St. John, British Columbia; Fort Nelson, British Columbia; Watson Lake, British Columbia; Whitehorse, Yukon Territory; Northway, Alaska; Tanacross, Alaska; Big Delta, Alaska; and Fairbanks. A cutoff road was constructed from Haines, Alaska, on the coast, to the Alaska Highway, 108 miles north of Whitehorse.

Extensive U.S. Army installations, including airfields, were constructed at Edmonton, Grande Prairie, Dawson Creek, Fort St. John, Fort Nelson, Watson Lake, Whitehorse, Northway, Tanacross, Big Delta, and Fairbanks. A telephone line extends along the Alaska Highway to Alaska, with a relay station about every hundred miles. A gasoline pipeline now extends from Haines, Alaska, on the coast, along the Haines Cutoff and the Alaska Highway to Fairbanks. A major airbase has been completed about 20 miles southeast of Fairbanks (Elson Field), and the Arctic Testing Station of the Air Force is located at Big Delta, 95 miles southeast of Fairbanks.

Good highways extend from various points in the United States to Edmonton. From Glacier National Park, in Montana, through Calgary to Edmonton, 375 miles, and from Grand Forks, N. Dak., through Winnipeg, Manitoba, Regina, and Saskatoon, Saskatchewan, to Edmonton, 1,100 miles.

From Dawson Creek to the Yukon-Alaska border on the Alaska Highway, 1,221 miles, will require improvement of the existing highway with respect to drainage, minor relocations, bridge and culvert replacement, slide removals and corrections, and surfacing.

The Haines Cutoff within Canada consists of 110 miles from the junction with the Alaska Highway to the British Columbia-Alaska border, and would require major reconstruction and relocation, including grading, drainage, structures, removal of slides, and surfacing.

The Alaska Highway is improved and has a bituminous plant mix surface course in Alaska from the Canadian border to Fairbanks. It connects with the Richardson Highway, about 95 miles from Fairbanks. The Richardson Highway extends southward to the coast at Valdez, with the Glenn Highway extending from the Richardson Highway westward to Anchorage. Thus, Anchorage and Fairbanks, the major cities and defense centers in Alaska, are now connected by an improved highway. A cutoff road extends from the Richardson Highway at Gulkana northeastward to the Alaska Highway near Tanacross, about 100 miles east of Big Delta. Improved highways extend from Fairbanks to Circle, on the Yukon River (130 miles), and north to Livengood (95 miles).

The total length of highway proposed for improvement in Canada is 1,331 miles, at an estimated cost of about \$125 million. It is proposed that the Canadian Government contribute 50 percent of the cost of construction and improvement of the high-

way, in addition to furnishing the necessary rights-of-way.

Mr. NEUBERGER. Mr. President, congressional approval of statehood for Alaska paved the way for political equality for this great northern land through full-fledged membership in the Union. Now it is Congress' responsibility to insure that social and economic equality is achieved through strengthening of the lines of communication between Alaska and the other 48 States.

I believe that the Government of Canada will wish to cooperate with the United States in this endeavor. Certainly, rich rewards in terms of increased trade and tourist travel would accrue to our neighbor to the north. I understand that officials in several Saskatchewan and Alberta cities have petitioned the Prime Minister of Canada to press Canada's participation in the paving of the Alaska Highway.

Recently there was brought to my attention an article published in the January 7, 1959, issue of the Daily Colonist, of Victoria, British Columbia, which reveals the desire of that great province to see such a project initiated soon. I ask unanimous consent that the article to which I refer be printed at this point in the RECORD.

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

BUILD ALASKA ROAD, UNITED STATES, CANADA ASKED

Highways Minister P. A. Gagliardi suggested Tuesday that Canada and the United States should share 50-50 on a new north-south highway route through British Columbia.

"Or they could share 50-50 in bringing the Alaska Highway up to standard and hardsurface it," he said, discussing suggestions by Oregon Senator RICHARD NEUBERGER that the Alaska Highway should be paved in a Canada-United States venture.

Mr. Gagliardi said British Columbia's contribution in his plan would be to take over the highway or highways after the hardsurface is laid, and undertake maintenance costs.

The Minister said British Columbia has already undertaken to maintain the first 50 miles of the Alaska Highway north of Dawson Creek, and Ottawa is thinking of hardsurfacing another 50 miles this year.

The United States, he believed, should be prepared to pay 50 percent of new construction, or reconstruction and surfacing costs, since the highway routes through British Columbia would be of vital interest to Americans and Alaskans.

I am sure the two nations could agree, and establish a high degree of cooperation," Mr. Gagliardi 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 the two met at Ottawa. The White House has since informed me that this subject was discussed in that conference. I am hopeful that the discussion will serve as a basis for further talks at a lower level and that a United States-Canadian agreement may be rapidly completed so that actual work may get

underway immediately upon availability of funds.

The need for improving that great highway link across western Canada to Fairbanks, Alaska, is a matter with 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. O'Connor, 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 measureless solitudes of pine forests and majestic mountains, and I know we will never have reliable land contact with Alaska until the 1,500-mile Alaska Highway is paved.

Mr. President, since originally introducing this bill in the closing days of the last Congress, I have received numerous expressions of support from organizations and individuals located in Alaska and the other 48 States. This measure is nonpartisan. It would aid the development, not only of Alaska but of the intervening areas of western Canada, for the benefit of both nations. I believe that this proposal is one which deserves the unanimous support of Congress.

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

The bill (S. 1125) to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway, introduced by Mr. NEUBERGER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. BARTLETT. Mr. President, I wish to express my thanks and the thanks of Alaska for the vision and the helpfulness of the junior Senator from Oregon [Mr. NEUBERGER] in introducing a bill the purpose of which is to encourage the paving of the Canadian section of the famous Alaska Highway.

The junior Senator from Oregon has on many occasions demonstrated his friendship for Alaskans and his desire to promote the economy of that great area, now the newest of our States.

As he made the statement in the Senate Chamber a while ago in introducing his bill, my mind went back to a November day 16 years ago when he and I stood on the shores of Lake Kluane, as the Alaska Highway, one of the great engineering feats of World War II, was officially dedicated.

Mr. President, most of the Alaska section of that highway, extending over a distance of 202 miles, is now paved. Only 50 miles of the Canadian section is under a contract for paving, out of a total distance in the Canadian section of 1,221 miles.

This highway, from Dawson Creek, the point of origin, to Fairbanks, is a long one, extending for 1,520 miles. But should the Canadian section be paved, as a result of the bill introduced by the junior Senator from Oregon or otherwise, we shall have, I predict, the greatest rush of tourists to Canada and to Alaska in recent history. It is a great land. There is a good highway now, but it is only a gravel highway, and sometimes

travelers do not care to traverse the whole distance. But if the highway is paved, as it well can be by both countries, under the provisions of the bill offered by the junior Senator from Oregon, we are going to have there great tourist travel.

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 the 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 evidences 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 shown 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 inter-American highway could be deemed 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. It was constructed following the report of a commission authorized by the Congress in 1938, under a bill sponsored by our able colleague, the senior Senator from Washington [Mr. MAGNUSON], 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 members of our commission or the Canadian members of their 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 has been so helpful to Alaska 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 Canadian civil authorities 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 regions of Canada through which it passes 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 entire cost of the highway, in view of 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 cosponsor of the measure.

I wish to conclude by saying that the people of Alaska will be eternally grateful to the junior Senator from Oregon, not merely for the introduction 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, after 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 and are not included under 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 that, to enable Alaska to secure a highway system comparable to those 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 area, for their kind remarks about my efforts regarding highways leading to Alaska and within Alaska.

I agree with the Senators completely that Alaska's problem is not simply to have 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 tied together by any highways whatsoever.

I think we should urge the Senate and the House of Representatives to keep in mind the salient fact that this country, 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, we certainly should try to work out an agreement with Canada to hard-surface the Alaska Highway, which leads to Fairbanks, which I believe is the second 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 as to Canadian participation.

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 communities are unconnected to each other by highway. If we had a comparable situation in the United States with respect to land transportation—and I say that because Alaskans are very air minded and our air services are good—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 a few of the cities. The rest of the country would have to depend on air transportation. That contrast illustrates the situation in Alaska today. Obviously a great area such as Alaska cannot be developed without highways. Our 48 States would never have developed without them. I am hopeful this Congress will see 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 to establish bridge clearances over navigable waters. It would result in savings of millions of dollars annually, the Department feels. Those savings would inure principally 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 enactment of this proposed 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 transmitting gambling information across State lines.

The second would redefine the term "gambling 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 other 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 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 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 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 were 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 this Act may be cited as the "Labor-Management Basic Rights, Ethical Standards, and Disclosure Act of 1959."

Findings and policy

Sec. 2. (a) The 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. The Congress also finds that remedial legislation is necessary to aid, protect, and further commerce, to insure the rights of union members, to protect the revenues of the United States, and to benefit the public welfare.

(b) It is declared to be the policy of the United States to advance the objectives, protect the interests, and correct the evils referred to in subsection (a) by (1) providing minimum standards of ethical practices, democratic representation, and due process of law for the protection of the members of such labor organizations; (2) requiring the reporting and disclosure of transactions in which abuses of trust or authority, conflicts of interests, and other improper activities may occur unless opened to scrutiny; (3) providing remedies for those injured by abuses of trust or authority; (4) regulating the imposition of trusteeships on subordinate unions; (5) providing adequate enforcement measures to assure compliance with the foregoing requirements; (6) providing that noncomplying persons whose labor or management practices do not justify the protection of privileges and immunities otherwise available under Federal law may be disqualified from such privileges and immunities; and (7) imposing criminal penalties for willful wrongdoing.

Definitions

Sec. 3. As used in this Act—

(1) "Labor organization" means a labor organization engaged in activities affecting commerce and includes any labor union or any organization of any kind, or any agency or employee representation committee, association, group, or plan, so engaged in which employees participate and 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 board, joint council, or other local, State, 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" means a labor organization which has officers or members engaged in activities affecting commerce, or which represents employees engaged in such activities, or which represents employees or has officers or members who are employed by any employer or in any industry engaged in activities affecting commerce, including any labor organization certified under Federal law, acting, or recognized, as the representative of employees of any such employer or in any such industry, or actively seeking to represent any such employees, or receiving or issuing any charter from or to 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, and includes any activity or industry "affecting commerce" within the meaning of the Labor Management Relations Act, 1947, as amended.

(4) "Commerce" means trade, traffic, commerce, transportation, or communication among the several States or between a State and any place outside thereof.

(5) "State" means any State or Territory of the United States, the District of Columbia, Hawaii, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (67 Stat. 462).

(6) "Person" means one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(7) "Employer" 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 employment of any employees or which, 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 person acting directly as an employer or indirectly in the interest 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.

(8) "Employee" includes any individual employed by an employer, and any individual whose work has ceased because of, or in connection with, any current labor dispute, or because of any unfair labor practice, or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.

(9) "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 appropriate 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, means any constitutional officer or any member of a board, council, committee, or other body established by the constitution, bylaws, or charter of a labor organization who is elected or appointed pursuant to and is empowered by such constitution, bylaws, or charter to exercise governing or executive functions with respect to such labor organization.

(11) "International labor organization" means any labor organization which has as members more than one local or constituent labor organization or the representatives or members of more than one such organization, and which exercises any governing or supervisory powers over such local or constituent organizations.

(12) "Trust in which a labor organization is interested" means a trust or other fund or organization (A) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (B) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

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

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

(15) "Secret ballot" means the expression by 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) "Due notice" means (A) in the case of a local labor organization, not less than 15 days' written notice to each member at his last known address; and (B) in the case of an international labor organization, not less than 30 days' written notice to the principal office of each local or constituent labor organization entitled to such notice.

(17) "Aggregate compensation" includes all salary, fees, bonuses, commissions, or other emoluments 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 or in reimbursement of 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) **EQUAL 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) **ELIGIBILITY FOR MEMBERSHIP.**—Every person who meets the reasonable qualifications uniformly prescribed by a labor organization for membership therein shall be eligible for and admitted to membership in such organization. The initiation fee, in the case of any individual seeking to become a member of such organization, shall not be in excess of 75 per centum of the amount of the prevailing weekly wage payable to individuals in the same category of employment as such person, as of the time such fee is imposed, in the vicinity of such bargaining unit.

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

(4) **FREEDOM OF ASSEMBLY.**—Every member of a labor organization shall have the right to meet and assemble freely with any other members for the purpose of exchanging views and reaching decisions with respect to any matters pertaining to such organization or its officers, agents, or representatives, without being subject to penalty, discipline, or interference of any kind by such organization.

(5) **FREEDOM FROM ARBITRARY FINANCIAL EX-ACTIONS.**—Rules relating to the rate of dues and initiation fees, or the levying of any special or general assessment, may be adopted or amended only after due notice and by general vote.

(6) **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 officers are named as defendants or respondents in such action or proceeding, or the right of any member or officer of such labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided*, That any such member or officer may be required to exhaust reasonable hearing procedures within such organization, not requiring longer than 3 months to final decision, before instituting legal or administrative proceedings against such organization or any officer thereof.

(7) **SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.**—No member of a labor organization may be fined, suspended, expelled, or otherwise disciplined by such organization or any officer thereof except for breach of some published written rule of such organization which is not inconsistent with any of the provisions of this title. Disciplinary action may not be taken unless such member has been (A) served with a written copy of the provisions of the constitution and bylaws or other governing charter of such organization which contains a listing of the rights and safeguards afforded him pursuant to this title with respect to the conditions under which disciplinary action may be taken; (B) served with written specific charges; (C) given a reasonable time to prepare his defense; (D) afforded a full and fair hearing; and (E) afforded final review on a written transcript of the hearing, by an impartial person or persons (i) agreed to by such organization and the accused, or (ii) designated by an independent arbitration or mediation association or board.

(8) **INSPECTION OF MEMBERSHIP LISTS.**—Each member of a labor organization or his agent shall have the right to inspect a list of the names and last known addresses of

all members of such organization. Such list shall be maintained at the principal place of business of such organization by a designated official thereof.

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 the following 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, members of any executive committee of the board of directors which is authorized to act as a board of directors (unless selected by the board from its own number), members of 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 302.

(2) **DISCLOSURE OF VOTES BY DELEGATES.**—Any vote by a delegate in his representative capacity shall be recorded in such manner that any person represented by such delegate can determine whether such delegate voted for or against any candidate or issue.

(3) **SALARIES AND EXPENSE ALLOWANCES.**—Any salaries or general expense allowances of officers, directors, trustees, and members of an executive committee or other such governing body of a local labor organization shall be established by the bylaws or by resolution adopted by general vote: *Provided*, That such bylaws or resolution may establish minimums and maximums within which such salaries may be determined by the trustees, directors, or members of an executive committee or other such governing body of such labor organization: *Provided further*, That nothing herein contained shall prevent the payment of expenses incurred or to be incurred by any such person upon itemized vouchers duly presented to the fiscal officer of such labor organization.

(4) **PRESERVATION OF BALLOTS.**—All ballots cast with reference 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 such vote is taken.

(5) **AFFILIATED ORGANIZATIONS.**—No organization or fund, whether or not incorporated, shall be created or financed by the funds of a labor organization except by general vote of the labor organization creating or financing such organization or fund, and any labor organization creating or financing such an organization or fund shall submit as a part of its annual financial report a schedule of the operations for the past fiscal year, or 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) (K).

(6) **BONDING.**—All officers, agents, representatives, and employees of any labor organization who handle funds of such 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 one-fourth of the gross income of such organization for the fiscal year of such organization immediately preceding such fiscal year, or \$250,000, whichever is the lesser; or, if there be no such preceding fiscal year, not less than \$50,000, and (B) in the case of a local labor organization, not less than the total of the dues and other assessments paid by the members thereof during the fiscal year of such organization immediately preceding such fiscal year or, if there be no such preceding fiscal year, in an amount not less than \$10,000.

(7) RECORDS.—Records shall be kept of all actions taken at any general membership meeting, any meeting of directors, trustees, or members of any executive committee (including 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 convention; and such records shall be maintained for five years at the principal office or place of business of such organization and shall be available for inspection at reasonable times by any member of such organization or of a constituent unit of such 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 a local labor organization, by any member of such organization, and, in the case of an international labor organization, by any member of any constituent unit of such organization who has been authorized by vote of such constituent unit to inspect such records, or in either such case by the attorney or other representative of such member. Any such expenditure exceeding \$100 in the case of a local labor organization, or \$500 in the case of an international labor organization, shall be supported by a voucher from the person with respect to whom such expenditure is made.

(9) INVESTMENT OF SURPLUS FUNDS.—Every labor organization shall be entitled at all times to maintain a working capital of not in excess of the aggregate of the dues and assessments received by it during its latest fiscal year, or in the absence of such latest fiscal year, not in excess of \$25,000, in the case of a local labor organization, and not in excess of \$100,000, in the case of an international labor organization. All sums held by any labor organization in excess of such sum, other than pension or trust funds, shall be held in savings banks on time deposits or invested in such manner as may be permitted insurance companies by the laws of the State in which the principal place of business of such organization is located.

(10) COLLECTIVE BARGAINING AGREEMENTS.—A copy of each collective bargaining agreement made by a labor organization with any employer shall, in the case of a local labor organization, be forwarded 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 received by it, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement.

Standards applicable to local labor organizations

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

(1) GENERAL MEMBERSHIP MEETING.—A general membership meeting shall be held not less than three times each year, and each member of the local labor organization shall be notified by mail of any such

meeting not less than ten days prior to the date such meeting is to be held.

(2) DELEGATES TO INTERNATIONAL LABOR ORGANIZATION.—All delegates of a local labor organization to a meeting or convention of an international labor organization of which such local organization is a constituent unit shall be elected in the manner set forth in section 302; except that if such meeting or convention is called upon notice insufficient to permit the holding of such an election, such delegates may be selected in such other manner as may be provided by the constitution, bylaws, or other governing charter of such local labor organization.

(3) ROSTER OF MEMBERS OF LOCAL LABOR ORGANIZATION TO BE FURNISHED TO INTERNATIONAL LABOR ORGANIZATION.—Not more than thirty days prior to any meeting or convention of an international labor organization of which a local labor organization is a constituent unit, such local organization shall furnish to such international organization a roster of the members of such local organization, in order that such international organization may be able to determine the voting strength of such local organization.

(4) MERGER OF LOCALS OR TRANSFER OF MEMBERSHIP OR FUNDS.—No merger of a local labor organization with any other local labor organization, and no transfer of membership or funds from one local labor organization to another shall take place except after approval by a general vote of each local labor organization to be merged (in the case of a merger), each local labor organization affected (in the case of a transfer of membership), and the local labor organization from which funds are to be transferred (in the case of a transfer of funds), upon due notice stating in detail the purpose of the merger or transfer.

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 for by section 302, all officers and members of any governing body required to be elected by section 102(1).

(2) VOTING AT CONVENTIONS.—All delegates elected or designated by the constituent units of an international labor organization pursuant to the provisions of section 103(2) to represent such constituent unit at any meeting or convention held by such labor organization shall have a vote in all elections for 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 disclosed by the roster of members required to be furnished under the provisions of section 103(3).

(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, trustees, or members of an executive committee, a notice shall be sent by mail to the secretary of each constituent unit of such organization, which notice shall set forth the time, place, and a detailed agenda of such meeting or convention.

(4) EXTRAORDINARY MEETINGS.—Extraordinary meetings of an international labor organization 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. At any such meeting the international labor organization may recognize as the representatives of the constituent units of such organization the individuals 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 other individuals to represent them at such extraordinary meeting.

(5) REPRESENTATIVES.—No person shall be entitled to vote as a representative or delegate of a constituent unit of an international labor organization unless such person shall have been elected or designated as such in the manner provided in section 103(2).

(6) ISSUANCE OF CHARTERS.—No 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 permitted to be issued or outstanding in the name of any organization which is not a bona fide labor organization. Within fifteen days after issuance of any local charter, the organization issuing such charter shall notify the Secretary of the name, purpose, and number of members of such chartered organization.

(7) TRUSTEESHIPS.—No international labor organization shall impose any trusteeship upon any constituent unit of such organization except in accordance with the standards and procedures provided for in section 303.

*TITLE II. REPORTING AND DISCLOSURE
General requirements*

Sec. 201. Every person required to file reports or other documents with the Secretary as provided in this Act shall—

(1) File, at the times and places and in the forms prescribed therefor, such reports or documents containing the information required by this Act, with adequate indexing and cross reference to indicate compliance with the relevant requirements of this Act;

(2) Maintain records of all substantiating information, documents, and related data necessary to explain and verify the reports and documents filed as required by this Act;

(3) Keep these records available for examination by any interested labor organization member or his authorized representatives, or by the Secretary or his authorized representatives, for a period of not less than five years after the filing of reports based on the information which they contain.

Reporting by labor organizations

Sec. 202. (a) Every labor organization shall file with the Secretary (1) copies of its constitution, bylaws, or other governing charter, which shall conform with and contain provisions designed to effectively accomplish the objectives of title I, and (2) a report signed by its president or other chief executive officer and by its secretary or other chief records officer, containing the following information, in such form as the Secretary may by rule or regulation require:

(A) The name of the labor organization, the address of its principal business office, and of any other office or offices regularly maintained by such organization;

(B) The statutory authority, if any, under which the labor organization is organized;

(C) The names and titles of its officers;

(D) The name and title of each officer, employee, agent, or representative of such organization, and of each attorney, accountant, consultant, or other person engaged or paid by the labor organization, whose aggregate compensation received from such organization in the preceding fiscal year exceeded

\$10,000, or may reasonably be expected during the current fiscal year to exceed \$10,000;

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

(F) The name and title of each trustee or other person responsible for the custody or administration of any trusts or funds in which the labor organization is interested;

(G) Aggregate compensation paid the preceding fiscal year or reasonably expected to be paid during the current fiscal year to each person referred to in clauses (C), (D), (E), and (F);

(H) Detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provisions made and procedures followed with respect to: (i) participation in insurance or other benefit plans, (ii) authorization for disbursement of union funds, (iii) audit of union financial transactions, and (iv) authorization for bargaining demands and strikes, and ratification of contract terms;

(I) Direct or indirect loans outstanding, or made during the preceding fiscal year, to any officer, employee, or member aggregating in excess of \$500, together with a statement of the security, if any, and arrangements for repayment;

(J) Direct or indirect loans outstanding, or made during the preceding fiscal year, to any business enterprise, together with a statement of the security, if any, and arrangements for repayment;

(K) A financial statement certified by an independent certified public accountant, showing the assets and liabilities, including surplus accounts, of the labor organization as of the end of the preceding fiscal year, and its income, fully identified as to sources, and its expenditures, fully identified as to purposes and recipients, during such fiscal year; and

(L) A financial statement certified by an independent certified public accountant showing the assets and liabilities of each trust in which the labor organization is interested, as of the end of its preceding fiscal year, and the trust income fully identified as to sources, and the trust expenditures, fully identified as to purposes and recipients, during such fiscal year.

(b) Within thirty days after the occurrence of any change in the information required by clauses (A), (B), (C), (E), (F), and (H), of subsection (a)(2), the labor organization by which such report was filed shall file with the Secretary, in the same form as required by such subsection, an amendment to its report setting forth such change.

(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)(2), and annual financial statements conforming to the requirements of clause (L) of such subsection with respect to each trust in which it is interested. Any such annual statement conforming to the requirements of clause (K) shall include, for the fiscal year covered thereby, the information referred to in clauses (D), (G), (I), and (J).

(d) If the first statement required by either clause (K) or (L) of subsection (a)(2) is filed more than ninety days after the end of the preceding fiscal year, such statement shall also include a similar financial statement, certified by the principal fiscal 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

SEC. 203. Every labor organization which imposes a trusteeship over a subordinate labor organization shall file a report with the Secretary, signed by the president or other chief executive officer and by the secretary or other chief records officer of such organization imposing the trusteeship, certifying that such trusteeship was assumed and is exercised in conformance with the applicable requirements of section 303 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 subordinate organization in other bodies or meetings or conventions have been or are being selected and, if so, how selected, the nature and extent of participation of the membership in the selection, and the extent of authority of such delegates;

(7) An account of any funds transferred from the subordinate organization to the supervising organization during the period of trusteeship;

(8) A statement of the amount of normal per capita tax and assessments that would be payable by the subordinate organization if it were not under trusteeship; and

(9) The date, place, manner, and result of the last preceding general vote taken in accordance with the applicable provisions of section 303 of this Act.

Reports by officers, agents, representatives and employees of labor organizations

SEC. 204. (a) Every officer, agent, representative and employee of a labor organization (other than a clerical employee as defined by the Secretary), shall file with the Secretary a report, signed and attested by such person, listing and describing for the preceding fiscal year or, if such person has no fiscal year, for the preceding calendar year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income which he or his spouse or minor child derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly

derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

(6) any payment received directly or indirectly from any employer or his agent or any person who acts as a labor relations expert, adviser, or consultant to an employer, or from any agent or representative of such labor relations expert, adviser, or consultant, pursuant to any agreement or arrangement by which the officer, agent, representative or employee is to interfere with, coerce or restrain employees in the exercise of rights guaranteed by the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not apply to purchases at market value of securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934 or of shares in an investment company registered under the Investment Company Act of 1940, or of securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to any income derived therefrom.

(c) Nothing contained in the preceding subsections of this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds an interest in, has received income or a loan from, or has engaged in, a transaction described in such subsections.

Reports by employers

SEC. 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 promise or agreement therefor, to any labor organization or officer or employee of any labor organization, except payments of the kinds referred to in section 302(c) of the Labor-Management Relations Act of 1947, as amended;

(2) any payment (except payment to an employee as compensation for or by reason of his regular services as an employee of such employer) to any of his employees, or any group or committee of such employees, for the purpose of causing such employee or group or committee of employees to interfere with, coerce, or restrain any other employees of such employer in the exercise of rights guaranteed to such employees by the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended, unless such payments were contemporaneously or prior thereto disclosed to such other employees;

(3) any payment to a public or labor relations consultant or other person (except payment to an employee as compensation for or by reason of his regular services as an employee of such employer) pursuant to any understanding or agreement under which such person undertook to compensate employees of such employer for (A) interfering with, coercing or restraining any employees of such employer in the exercise of rights guaranteed to such employees by the National Labor Relations Act, as amended, or by the Railway Labor Act, as amended, or (B) procuring confidential information from employees of such employer concerning the exercise of such rights; or

(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 its president and treasurer or corresponding principal officers showing in detail the date and amount of each such payment and the name, address, and position, if any, in any firm or labor organization of the 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 labor relations consultant service to an employer engaged in an industry affecting commerce pursuant to any agreement or arrangement under which he received or agreed to receive a payment or reimbursement from an employer required to be reported by such employer under the provisions of clause (3) or (4) of section 205, shall file within thirty days after receiving or agreeing to receive such sum, whichever is earlier, a report with the Secretary, signed by its president and treasurer or corresponding 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 of such employer to whom any payment referred to in clause (3) of section 205 was made or intended to be made, directly or indirectly, and the name of the 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.

Reports not required in certain cases

Sec. 207. Nothing contained 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 such employer, or to require any employer to file a report covering expenditures made to any regular officer, supervisor, or employee of an employer, as compensation for services as a regular officer, supervisor, or employee of such employer.

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 obtains pursuant to such provisions, use the information and data for statistical and research purposes, and compile and publish such studies, analyses, reports, and surveys based thereon as he may deem appropriate.

(b) The Secretary shall by regulation make provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with 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 service: *Provided*, That the Secretary shall make available without

payment of a charge, or require any labor organization to furnish, to such State agency as is designated by law or by the Governor of the State in which such labor organization is domiciled or carries on activities, upon request of the Governor of such State, copies of any reports and documents filed by such labor organization with the Secretary pursuant to this Act, or of information and data contained therein. All moneys received in payment of such charges shall be deposited in the general fund of the Treasury.

Time for filing reports

SEC. 209. (a) The report required to be filed by a labor organization under section 202(a) shall be filed within ninety days after the effective date of this title or the date on which such labor organization first becomes subject to this Act, whichever date is later.

(b) Annual financial statements required to be filed by section 202(c) shall be filed within sixty days following the end of the fiscal year in which the report required by section 202(a) is filed, and within sixty days following the end of each fiscal year thereafter.

(c) Reports required by section 203 to be filed by labor organizations exercising trusteeship shall be filed at the time of filing the report required by section 202(a) or within thirty days after the assumption of such trusteeship, whichever is later, and within thirty days following the end of each fiscal year during which such trusteeship continues to be exercised, except that the last such report shall be filed not later than thirty days following the termination of such trusteeship.

(d) Reports required to be filed for any fiscal or calendar year under section 204 shall be filed within thirty days following the end of such fiscal or calendar year, as the case may be.

Personal responsibility for filing reports

Sec. 210. Each person required to file, sign, or attest any report pursuant to the provisions of this title shall be personally responsible for the filing of such report and any statement contained therein.

TITLE III. RESPONSIBILITIES TO MEMBERS

Fiduciary responsibilities

Sec. 301. Every officer, agent, or other representative of a labor organization, or of a trust in which such organization is interested, shall, with respect to any money or other property in his custody or possession by virtue of his position as such officer, agent, or representative, have a relationship of trust to any such labor organization and the members thereof, or to any such trust and the beneficiaries thereof, and shall be responsible in a fiduciary capacity for such money or other property, notwithstanding any grant of authority purporting to exempt him from such responsibility.

Election and removal of labor organization officers

Sec. 302. (a) The provisions required by title I to be incorporated in the constitution and bylaws of every labor organization shall include provisions effectively designed to guarantee the following:

(1) Officers of a local labor organization, referred to in section 102(1), shall be elected at a general membership meeting, and the candidates receiving the greatest number of votes cast by members of the local labor organization who are eligible to vote shall be declared elected, and officers of an international labor organization, referred to in such section, shall be elected by the representatives of constituent units of such international labor organization, and the candidates receiving the greatest number of votes cast (computed in accordance with section 104 (2)) shall be declared elected except that a vacancy occurring during the term for which any such officer is elected may be

otherwise filled if the constitution, bylaws or other governing charter of the local labor organization so provide.

(2) Terms of office of such officers shall be for a reasonable period, not to exceed four years in any international labor organization, and not to exceed two years in any local labor organization, except that any such officer may be permitted to serve for an additional period, not to exceed ninety days, pending the election and qualification of his successor.

(3) Reasonable procedures shall be established for nominating opposing candidates for each office under a party or other system which will afford members of the labor organization an opportunity to participate in the selection of candidates. Not more than 5 percentum of the membership of a local labor organization shall be required to nominate officers of such local organization. Not more than 5 per centum of the total number of local labor organizations, nor more than such number of local labor organizations as represents 5 per centum of the total membership of the international labor organization, shall be required to nominate officers of such international organization.

(4) Any member in good standing of a labor organization shall be eligible to be a candidate and to hold office in such organization, subject only to reasonable qualifications uniformly imposed.

(5) All members shall have reasonable opportunity, upon due notice, to participate, on an equal basis with all other members, in the election of their local officers by direct secret vote of the members, and in the election of their international or other officers either by direct secret vote of the members or through representatives to delegate bodies who are elected by direct secret vote of the members.

(6) The right of a member to be or to nominate a candidate, or to vote in any election shall not be affected in any manner by any delay or default in the payment of dues which have been withheld by his employer for payment to the labor organization pursuant to a collective bargaining agreement.

(7) Adequate election safeguards shall be provided, including observers and tellers acceptable to or representing all opposing candidates, and including physical election facilities acceptable to all opposing candidates. Upon request in writing signed by at least 10 per centum of those eligible to vote, the Secretary or his designee shall supervise the election and the counting of the votes.

(8) No moneys received by any labor organization from the proceeds of dues, assessments, or similar levies, and no moneys of an employer shall be contributed to, or applied to promote 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 of issues, and other expenses necessary for the holding of an election.

(9) Officers elected by the membership of a local labor organization may be removed by action of a duly constituted quorum of the board of directors, trustees, or executive committee, but only for cause shown and on notice and hearing. Other officers of a local labor organization shall be removable at any time by the person or body by whom they were appointed or elected.

(b) If the Secretary, upon application of any member of a local labor organization, finds that the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, such officer may be removed for cause shown and after notice and hearing by the members voting in a secret ballot conducted by the officers of such labor organization in ac-

cordance with proceedings not inconsistent with the provisions of this title. The Secretary is authorized to issue regulations promulgating standards and procedures designed to carry out the provisions of this subsection.

Trusteeships

SEC. 303. An international labor organization may provide in its constitution or bylaws for the assumption by a trustee, supervisor, administrator, or other person, of the administration of the affairs of a constituent labor organization, but only for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization. Any such administration shall be imposed only in accordance with such provisions, and shall cease after the expiration of one year from the date of the assumption thereof unless prior to such date such constituent labor organization by general vote on due notice, shall vote to continue such assumption of administration, in which case such administration shall continue not more than one additional year. Such assumption of administration may be continued for additional periods of not more than one year each, but only upon general vote on due notice with respect to each such continuation. The person assuming control of the affairs of such constituent labor organization shall be required to perform all duties placed upon such constituent labor organization by the provisions of title I of this Act.

TITLE IV—ADMINISTRATION, ENFORCEMENT, AND PENALTIES

Compliance with titles I and II

SEC. 401. (a) Upon the filing by a labor organization of the documents required by section 202(a)(1) and the report required by section 202(a)(2), the Secretary shall issue to such labor organization a certificate of compliance with this Act.

(b)(1) No labor organization shall, after the expiration of 90 days following the effective date of this section—

(A) be certified or recognized as the representative of any employees by the National Labor Relations Board or any other department or agency of the Government, or

(B) be eligible to file an unfair labor practice charge under section 10(b) of the National Labor Relations Act, or to file with any department or agency of the Government any other charge, complaint, or petition as the representative of or on behalf of any employees,

during any period for which a certificate of compliance issued under subsection (a) is not in effect for such labor union and for each international labor organization of which it is an affiliate or constituent unit.

(2)(A) No labor organization, and no trust in which such labor organization is interested, shall be entitled to exemption from Federal income tax under section 501(a) of the Internal Revenue Code of 1954 for any taxable year which begins more than 90 days after the effective date of this section if on any day during such taxable year a certificate of compliance was not in effect under this Act for such labor organization and for each international labor organization of which it is an affiliate or constituent unit.

(B) In any case in which, during any taxable year which begins more than 90 days after the effective date of this section, there is a certificate of compliance in effect under this act for a labor organization, and for each international labor organization of which it is an affiliate or constituent unit, for less than the whole taxable year, the tax payable under the Federal income tax

laws by such organizations, and the tax payable under such laws by any trust in which such organization is interested, shall be reduced by an amount which bears the same ratio to the amount otherwise payable as the number of days in such taxable year for which such certificate of compliance was in effect for such labor organization and for each such organization of which it is a constituent unit bears to the total number of days in such taxable year.

(C) In any case in which, on review as provided in subsection (e), the court determines any period of suspension of a certificate of compliance to have been wrongfully imposed or continued, such certificate shall be deemed for the purposes of this subsection to have been in effect during such period.

(c) 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) any report or amendment thereto or any financial statement, filed pursuant to this title, contains a false or misleading statement with respect to a material matter;

(2) such document, report, or statement falls in a material respect to comply with the requirements of this act;

(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(c); or

(4) there has been a failure in a material respect to comply with any provision required by this Act to be contained 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.

(d) A proceeding to suspend a certificate of compliance shall be commenced upon adequate notice to the labor organization or its subscribing officer directed to the principal place of business stated in its report filed under section 202. Such notice shall set forth in brief the particulars upon which such document, report, or statement is deemed by the Secretary not to comply with the requirements of this Act, or in which there has been a failure to file an amendment or financial statement or to comply with such provision of the constitution, bylaws, or other governing charter. At the time stated in the notice or at an agreed subsequent time, a hearing upon the charges set forth in such notice shall be held before such hearing officer as the Secretary may designate, who shall report his findings of fact, conclusions, and recommendations to the Secretary. Such findings, conclusions, and recommendations shall become final, in accordance with rules and regulations of the Secretary, as the findings, conclusions, and determination of the Secretary except that they shall be subject to review by the Secretary upon his own motion or upon motion of any aggrieved person. Upon such review, the Secretary shall enter an order affirming, modifying, or reversing the findings of fact, conclusions, and recommendations of the hearing officer. Any suspension of a certificate of compliance pursuant to any such order shall be terminated only upon application by the labor organization accompanied by a showing satisfactory to the Secretary that grounds for such suspension no longer exist. If the Secretary is not so satisfied he shall enter an order upon notice and hearing as provided in this subsection, denying such application. Upon the commencement of any proceeding under this subsection, the Secretary shall immediately notify the National Labor Relations Board, the National Mediation Board, or any other

department or agency having authority to certify such labor organization as the representative of employees.

(e) Any labor organization aggrieved by an order of the Secretary under subsection (d) may obtain a review of such order in the United States court of appeals for the circuit in which the labor organization has its principal place of business, or in the United States Court of Appeals for the District of Columbia Circuit, by filing in such court a written petition praying that the order of the Secretary be modified 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 transcript of the entire record 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, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Secretary with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing 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 made a part of the transcript. 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 it shall be subject to review by the Supreme Court of the United States in the same manner as in the case of judgments reviewable under section 1254 of title 28 of the United States Code. Petitions under this section shall be heard expeditiously.

Investigations

SEC. 402. (a) The Secretary shall have the power, and is directed, when he has probable cause to believe based upon documentary information or upon complaint received by him that any person has violated or is about to violate any provision of this Act or any rule or regulation thereunder or any provision required by this Act to be included in its charter or bylaws, to make an investigation for the purpose of ascertaining the facts with respect to such violation and to require or permit any person to file with him a statement in writing, under oath or otherwise as the Secretary shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Secretary is authorized, in his discretion, to publish information concerning any such violations.

(b) For the purposes of any investigation or hearing provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

(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 his functions under this Act.

(d) Any person may make a complaint to the Secretary to the effect that any other person has not complied fully with this Act, or with 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 justified. No such complaint shall be made public by the Secretary except with the consent of the complainant.

(e) Whenever, in the administration of this Act, violations of any of the penal provisions of this Act are brought to the attention of the Secretary, he shall transmit 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 and others similarly situated or on behalf of the organization, may maintain an action or proceeding in a district court of the United States to enjoin and restrain any act or omission of any officer, agent, or other representative of a labor organization or other person, in violation of any provision 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 section 301 or 303 or any other provision of this Act, or for other appropriate relief including an accounting for and restitution to such labor organization of any money or other thing of value contributed or expended in violation of any such provision, duty, or responsibility.

(b) In any proceeding brought under this section, other than a proceeding brought by the Secretary, the plaintiff shall be entitled to recover from the labor organization his costs, including reimbursement for expenses necessarily paid or incurred in connection with such proceeding and a reasonable attorney's fee, if it appears to the satisfaction of the court that the action or proceeding was instituted in a good faith effort to conserve the assets of such organization for proper purposes, and the court may, if satisfied that justice will be served thereby, impose liability for reimbursement of such amounts on any defendant whom the court finds to have acted or omitted to act in disregard 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, bylaws, or other governing charter of such organization and 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 alleging the violation of any provision of section 302 or of any provision required by such section to be contained in the constitution, bylaws, or other governing charter of the labor organization. The election in connection with which such violation is alleged to have occurred shall be presumed valid pending a final decision thereon under the provisions of this section, and in the interim the affairs of the organization shall be conducted by the officers elected, or in such other manner as its constitution and bylaws may provide.

(b) The Secretary shall investigate such complaint and, if he finds probable cause to believe that such violation occurred and has not been remedied, he shall, within 60 days after the filing of such complaint, bring a civil action against the labor organization as an entity in the appropriate district court of the United States to set aside the invalid election, if any, and to direct the conduct of an election under the supervision of the Secretary and in accordance with the provisions of section 302 and such rules and regulations as the Secretary may prescribe.

(c) If, upon a preponderance of the evidence after a trial upon the merits, the court finds (1) that an election has not been held within the time prescribed by section 302, or (2) that the violation of section 302 affected the outcome of an election, the court shall declare the election, if any, 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 declaring such persons to be the officers of the labor organization.

(d) An order directing an election, dismissing a complaint, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but an order directing an election shall not be stayed pending appeal.

(e) If the court declares an election to be void after a trial on the merits, it shall have power to take appropriate steps to preserve and safeguard the assets of the organization pending the selection of officers.

Willful 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 under the provisions of this act or the rules or regulations issued thereunder shall be fined not more than \$10,000 or imprisoned for not more than 1 year, or both.

(b) In any case in which the Secretary is of the opinion that a report or any amendment thereto, filed under this Act, contains a false or misleading statement with respect to a material matter, he may institute a proceeding against any officer or accountant who participated in the preparation or filing of such report or amendment, and if he determines that such officer or accountant participated in or consented to the inclusion of such false or misleading statement knowing it to be false or misleading, the Secretary may enter an order declaring such officer or accountant to be ineligible to act as an officer of, or accountant for, any labor organization.

Proceedings under this subsection and appeals from orders entered under this subsection shall be in accordance with the procedures set forth in section 401(d) and (e). Upon proper cause shown, and after notice and hearing, pursuant to rules and regulations promulgated by the Secretary, the Secretary may after one year revoke, suspend, or modify any order entered by him under this subsection.

(c) In any case in which the order suspending a certificate of compliance under this act is based in whole or in part upon the inclusion in any report, or in any amendment thereto, filed pursuant to the provisions of this Act, of a false or misleading statement, the Secretary may include in his order as a condition of termination of the period suspension, a requirement that any officer or accountant determined by the Secretary to have participated in or consented

to the inclusion of such false or misleading statement be removed. In the event that such condition is not included in the order suspending the certificates of compliance, the Secretary at any time thereafter, either on his own initiative or on complaint, may summarily modify his order so as to include such condition. In any such case, the labor organization shall have the right to demand a hearing within 10 days to request the lifting or modification of such order and such hearing and any review thereof shall be conducted in the manner set forth in section 401(d) and (e).

False entry and destruction of records

SEC. 406. Any person who makes any false entry in or willfully destroys, conceals, or withholds any book or record, kept or made for any labor organization or any trust in which such 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. Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use or the use of another any moneys, funds, securities, property, or other assets of a labor organization or of a trust in which such organization is interested, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.

Loans by labor organizations and employers

SEC. 408. (a) No labor organization shall make any loan or loans, directly or indirectly, to any officer, agent, representative, or employee of such organization in an 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 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 during trusteeship

SEC. 409. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) 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 to 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 nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its constitution, bylaws, or other governing 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 positions in labor organizations

SEC. 410. (a) No individual who is an officer, director, trustee, member of any executive committee or other such governing 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, embezzlement, forgery, bribery, extortion, robbery, arson, violation of narcotics laws, or any other crime involving moral turpitude, or conspiracy to commit any of such crimes, shall be eligible to continue to serve as such officer, director, trustee, member of any executive committee or other such governing body, business agent, manager, paid organizer, or paid employee during the period commencing on the date he is convicted of such crime and ending on the date any appeal of his conviction has been finally disposed of, or in case no appeal of such conviction is filed within the time prescribed by law for the filing thereof, on the day after the last day of the period during which an appeal of such conviction may be filed.

(b) No individual who shall hereafter be convicted of a crime referred to in subsection (a) shall be eligible to serve as an officer, 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 during any period for which he is ineligible to vote in the State wherein such crime was committed by reason of having been convicted of such crime.

(c) No individual who has heretofore been convicted of a crime referred to in subsection (a) shall be eligible to serve as an officer, 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 during any period for which he is ineligible to vote in the State wherein such crime was committed by reason of having been convicted of such crime.

(d) (1) No individual who, after notice by the Secretary, shall have failed to file any information required to be filed by this Act, and who, after a hearing on a written record, is determined by the Secretary to have violated the provisions of this Act relating to the filing of information, and (2) no individual who has been convicted of any violation of this Act (other than a violation of the provisions of subsection (a), (b), or (c) of this section) shall be eligible to serve as an officer, director, trustee, member of any executive committee or any other such governing body, business agent, manager, paid organizer, or as any other paid officer or employee receiving compensation in excess of \$4,000 per annum of a labor organization for a period of five years after such determination by the Secretary or such conviction. No individual with respect to whom the Secretary enters an order under the provisions of section 405 shall be eligible to serve as an officer, director, trustee, member of an executive committee, or other such governing body, business agent, manager, paid organizer, or accountant during any period for which such order is in effect. For the purposes of this subsection, any person who has been convicted of such a violation shall be deemed to have been convicted and under the disability of conviction from the date of the judgment of the trial court, or the date of the final sustaining of such judgment on appeal, whichever is the later event.

(e) No labor organization or officer thereof shall knowingly and willfully permit any person to assume or hold any office or paid position in violation of this section.

(f) Any person who shall willfully violate any provision of this section shall be fined not more than \$10,000, or imprisoned for not more than one year, or both.

Bribery, collusion, and extortion

SEC. 411. (a) Any person who demands, extorts, requests, receives, or accepts, or agrees or attempts to receive or accept, any gift or payment to such person, or to another on behalf of such person, of money or other thing of value from any employer, or from any agent, representative, attorney, or con-

sultant employed or engaged by such employer, with intent or purported intent to be influenced thereby with respect to any decision or action on any matter concerning the organization or representation of employees, or concerning any other activity of any labor organization or any trust in which such labor organization is interested, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

(b) Any person who makes or offers or attempts to make any gift or payment, the receipt of which is prohibited by subsection (a), shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Prohibited political activities

SEC. 412. (a) It shall be unlawful for any labor organization, or any officer, agent or representative of such organization—

(1) to make any contribution or expenditure out of money, trust funds, or other property of such labor organization, or in which such organization is interested, if the purpose is to influence voters participating in, or to affect the results of any election, party primary, convention or caucus for the purpose of nominating or electing candidates for any public offices, or to make any contribution out of such money, funds, or property to or on behalf of any such candidate, or

(2) to coerce, or attempt to coerce directly or indirectly, any member or employee of such labor organization to contribute services or money or other thing of value to any party, committee, organization, agency or person, for the purposes set forth in paragraph (1).

(b) 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.

(c) Nothing contained in this section shall impair the right of any individual officer, agent, representative or member of a labor organization to vote, to express his opinion on all political subjects and candidates, or to contribute his own services, money or other thing of value for political purposes.

Interference with rights of individuals

SEC. 413. (a) It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, or by any other means, to intimidate or coerce or attempt to intimidate or coerce any member of a labor organization for the purpose of interfering with or preventing the exercise by such member of any right to which he is entitled under the provisions of this Act.

(b) 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 five years, or both.

Failure to file reports required by sections 204, 205, and 206

SEC. 414. Any person who shall willfully violate the provisions of sections 204, 205, and 206 shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

Jurisdiction, venue, and service of process

SEC. 415. (a) The district courts of the United States, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have jurisdiction in proceedings brought under this Act to restrain violations of, to enforce any duty created by, to compel disclosure of any information required to be submitted to the Secretary in accordance with, or grant any other relief authorized by, the provisions of this Act or the rules and regulations thereunder.

(b) For the purposes of actions by or against labor organizations or their officers, agents, or representatives in the district

courts of the United States under the provisions of this Act, district courts shall be deemed to have jurisdiction of the labor organization, its officers, agents, or representatives (1) in the district in which such organization maintains its principal offices, or (2) in any district in which its duly authorized officers or agents are engaged in representing or acting for members, or conducting the affairs of a constituent organization over which it has assumed trusteeship.

(c) The service of summons, subpoena, or other legal process of any court of the United States upon an officer or agent of a labor organization, in his capacity as such, shall constitute service upon the labor organization.

(d) 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 shall 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 effectively carry out 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 other representative of a labor organization, or of any trust in which a labor organization is interested, under any other 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 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 9 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, shall be 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 be applicable, in the case of any person, 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 calendar years ending after such date.

(c) The provisions of sections 301, 406, 407, 408, 411, and 413 shall take effect upon the date of enactment of this Act.

(e) 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 constitution, bylaws, and other basic documents 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 organization which is in existence on the date of enactment of this Act and the constitution and bylaws or other governing charter of which permit an amendment or modification thereof only by a convention held for such purpose, until ten days after the holding of the next such convention held after the date of enactment of this Act, or two years, in the case of an international labor organization, or one year, in the case of a local labor organization, after the date of enactment of this Act, whichever is earlier.

ANALYSIS OF S. 1137

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

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 actions.

(g) Safeguards against arbitrary disciplinary action.

(h) Right to inspect membership lists.

2. Establishes standards for all labor organizations (local and international), by requiring their constitutions or bylaws to provide for (sec. 102):

(a) Election of officers by secret ballot under supervision designed to insure an honest count of the ballots, etc.

(b) Recording and disclosure of votes of delegates.

(c) Salaries and expenses of officers to be fixed by resolution adopted by general vote of members or delegates.

(d) Preservation of ballots and election documents for period of 2 years.

(e) No affiliated organization or fund to be created and financed by any labor organization unless it is authorized by general vote.

(f) Bonding of all officers handling funds of such organization.

(g) Records of meetings and financial records to be kept for five years.

(h) Investment of surplus funds to conform to requirements of State laws relating to insurance companies.

(i) Collective bargaining agreements made by locals to be made available to members on request, and those made by internationals to be filed with affected constituent units.

3. Establishes standards applicable to local labor organizations by requiring their charters or bylaws to provide for (sec. 103):

(a) General membership meetings not less than three times each year.

(b) Election of delegates to conventions by secret ballot.

(c) Merger of locals or transfer of membership from one local to another must be approved by majority vote by secret ballot of both locals, and transfers of funds from one local to another only upon such approval by majority vote of the local from which the transfer is made.

4. Establishes standards applicable to international labor organizations by requiring their charters or bylaws to provide for (sec. 104):

(a) Conventions at least once every four years.

(b) Fair and equitable representation of constituent units.

(c) Not less than thirty days' notice of time of such convention, and not less than fifteen days' notice in case of an emergency or extraordinary meeting.

(d) Only delegates elected or designated as provided by this Act shall be entitled to vote.

(e) Charters to be issued only to bona fide labor organizations.

(f) Trusteeships to be established only for purpose of correcting certain prescribed conditions, and to be continued only for limited time.

TITLE II. REPORTING AND DISCLOSURE

1. Requires report to be made to the Secretary of Labor by each labor organization, accompanied by copies of constitution and bylaws containing provisions conforming to foregoing requirements, such reports to contain certain specified information concerning the officers, organization, and financial activities of the organization, and to be kept up to date through the filing of reports of changes in such information and by the filing of annual financial reports (sec. 202).

2. Requires the making of special periodic reports concerning any trusteeship assumed by an international organization over its locals, such reports to contain certain specified information concerning the purpose, activities, and status of the trusteeship (sec. 203).

3. Requires the making of reports by officers and employees of labor organizations of any interests or income which they or their spouses or minor children hold or acquire in or receive from the business of the employer, or any business a substantial part of which consists of dealing with the employer or the labor organization, and of certain payments received from labor relations consultants (sec. 204).

4. Requires employers to report loans and payments made to labor organizations and their officers, payments to employees or labor relations consultants pursuant to agreements to coerce employees in the exercise of their rights, and payments to persons who procure the services of such consultants (sec. 205).

5. 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).

6. Provides for making information in foregoing reports available for public inspection (sec. 208).

TITLE III. RESPONSIBILITIES TO MEMBERS

1. Establishes fiduciary status for officers and agents of labor organizations having custody of organization funds and property (sec. 301).

2. Provides democratic procedures for nomination and election of labor organization officers, sets maximum terms of office for such members of 2 years for officers of local and 4 years for officers of international organizations, provides for supervision of elections by the Secretary of Labor upon petition of 10 percent of members eligible to vote, prohibits use of labor organization funds for influencing outcome of union elections, and provides procedures for removal of officers guilty of misconduct (sec. 302).

3. Sets forth purposes for which trusteeships may be established, and provides that trusteeships shall end after 1 year unless extension is authorized by vote of the members of the local union over which the trusteeship is exercised (sec. 303).

TITLE IV. ADMINISTRATION, ENFORCEMENT, AND PENALTIES

1. Provides procedures for enforcement of provisions of the act, under which—

(a) Labor organizations which fail to file and keep up-to-date reports required by the act, or file false reports, or fail to conform to requirements set up by the bill will not be recognized as representatives of employees under the National Labor Relations Act or other Federal laws, and will be denied benefits now accorded such organizations under Federal income tax laws (sec. 401).

(b) The Secretary of Labor may make investigations to determine whether provisions of the bill are being violated (sec. 402).

(c) The Secretary of Labor or members of labor organizations affected by violations, may institute civil proceedings to enjoin violations, and to recover on behalf of the labor organization funds wrongfully expended (sec. 403).

(d) 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 bill. The court in any such proceeding would be empowered to set aside the election if it finds that the outcome thereof was affected by the violation, and to direct the holding of a new election under supervision of the Secretary (sec. 404).

2. Criminal penalties are provided in the bill for—

(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).

(d) Making of certain loans by labor organizations or employers to officers or employees of labor organizations (sec. 408).

(e) Counting of votes of delegates of labor organizations under trusteeship who have not been elected by the membership of such organizations; and the transfer of funds of such organizations to the labor organizations exercising the trusteeship, in excess of amounts which would be so transferred in the absence of the trusteeship (sec. 409).

(f) Acting as an officer of a labor organization during period for which civil rights have been suspended for conviction of certain major crimes; or acting as such officer during 5-year period following conviction, or determination by the Secretary, of violations of certain provisions of the bill (sec. 410).

(g) Bribery, collusion, and extortion in labor management relations (sec. 411).

(h) Using funds of labor organizations for political purposes, or coercing union members to make political contributions (sec. 412).

(i) Coercing labor union members for the purpose of interfering with the exercise of the rights guaranteed under the bill (sec. 413).

(j) Failure to file reports required to be filed by individuals (as distinguished from those required to be filed by labor organizations) under the bills (sec. 414).

3. Provisions are also included conferring jurisdiction on the U.S. courts of actions brought under the bill, and relating to venue, service of process, and responsibility of labor organizations for acts of their agents for the purposes of such actions (sec. 415).

4. The Secretary is empowered to prescribe the forms of reports and to issue regulations for the administration of the provisions of the bill (sec. 416).

TITLE V. MISCELLANEOUS

This title contains provisions—

(a) Making clear that it is not the intent of the bill to reduce or limit the responsibilities of officers of labor organizations under any other Federal law or under State law, or to deprive members of a labor organization of rights or remedies to which they are entitled under such laws (sec. 501).

(b) Repealing provisions of the National Labor Relations Act which would be superseded by provisions of this bill (sec. 502).

(c) Effective date provisions under which (A) 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 30 days after the date of enactment, and (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 Improper 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 dishonest 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 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.

This measure contains 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, secondary boycotts, 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, tightening the laws against secondary boycotts, 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 voted up or down on their respective merits.

The general objectives of the bill I introduce today, as stated in its title are:

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 re-

porting 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 bargain 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 revisions or amendments to the Taft-Hartley law, to which I have referred. I feel that the enactment of legislation for these purposes should not be jeopardized by the injection of controversies 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 dealing with these other issues 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 this measure, the Kennedy-Ervin bill, or the administration bill, introduced by Senator GOLDWATER, should promptly proceed to the consideration of bills dealing with revisions of Taft-Hartley, secondary boycotts, organizational picketing, hot-cargo shipments, and no-man's land jurisdictional problems. All of these should receive disposition at this session of the Congress.

I may say, Mr. President, 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 by hoodlums, gangsters, and racketeers in some segments 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, wittingly, 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 duty of enacting legislation dealing with that segment of the issues about which there is little controversy and little disagreement, except possibly the

means to the end, the object being generally agreed upon.

I sincerely urge the Committee on Labor and Public Welfare to give immediate consideration to this measure. I regret that, due to unavoidable circumstances involving pressure of official duties, I have not been able to present this measure earlier. I know it can have an opportunity for consideration if at any time any measure comes up on the floor of the Senate. Thus, I invite my colleagues to study the subject. I believe they will find it the answer to some of the questions to which they have given serious consideration and as they contemplate the necessity for legislation in this field.

VETERANS READJUSTMENT ASSISTANCE ACT OF 1959

Mr. YARBOROUGH. Mr. President, on behalf of myself, and Senators McNAMARA, YOUNG of Ohio, MURRAY, and HART, I introduce, for appropriate reference, a bill entitled "The Veterans Readjustment Assistance Act of 1959," similar in pattern to the Korean GI bill, for the benefit of those serving in the Armed Forces since January 31, 1955. This bill calls for an extension of readjustment benefits until 1963, when the proposed draft extension would end, because I think that these two concepts, the draft and readjustment assistance, are inextricably linked in our contemporary situation.

We will soon be called upon to perform 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 traditional love of freedom and aversion 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?

Fortunately, we can point to positive accomplishments and results from our past dealings with our servicemen and veterans. This is because the Congress has wisely provided two of the most far-sighted and beneficial programs ever enacted, the two GI bills, providing educational and home-owning assistance, unemployment compensation and mustering out payments. In education alone, the World War II GI bill gave the Nation 450,000 engineers and 180,000 doctors and nurses; it gave those eligible for its benefits an average of 1½ to 2 years more schooling than those not so fortunate as to serve in our Armed Forces. Similar results are expected from the bill I have introduced covering post-Korean veterans. This is truly a wise and beneficial program, and one well calculated to restore to a young man what he has lost—time, the critical time when he must prepare himself for his adult life. In our recent past the returning serviceman has been assisted to

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 a short time. More than one-half 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 are distributed very unequally among the 1,200,000 young men who come of military age each year. Some have their education, career, or family plans disrupted while 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.

If we act, as presumably we must, to extend the draft, accepting it as the least onerous of a number of distressing choices, we must also act to remove the unnecessary burdens of honorable military service. We must remove it from the category of lost opportunities and financial handicap for those who return to civilian life. We must at least give the young man who fulfills his military obligation some means by which he can catch up with the world that has passed him by.

I think that readjustment benefits are a proper recognition of the Government's responsibilities to those who serve it. Especially when any day we may expect to see headlines of marines landing in Lebanon, or fliers shot down over the Russian border, we may ask why we are not giving these boys the same recognition and assistance we gave those who served before under similar circumstances. I feel that our young men deserve this assistance now, and that the Congress will so recognize with due deliberation rather than waiting until some other warlike incident goads us into action in this field.

We may expect that an act like this will eliminate many occasions for application of the draft by increasing the incentives for volunteering for military duty. It will, we may hope, desirably lower the age level of those entering the service, from those who have tried to finish college first, to those who will need help to finish college later. It should eliminate many complaints that a young man's future is too uncertain under present laws, by allowing him a full range of scheduling his education and his military service. And finally, it should greatly improve the morale of those in the military establishment, by clearly showing that the American Government and people do indeed appreciate and

recognize the great service they are doing us all.

In brief, the bill I introduce today would establish a program of readjustment benefits for post-Korean veterans similar to those in the Korean GI bill, by providing rights to educational assistance, vocational rehabilitation, home loan guarantees, and mustering-out pay.

As chairman of the Veterans' Affairs Subcommittee, I expect to begin hearings in the near future to explore the exact manner in which this program will most equitably fit our present cold-war veterans in their readjustment needs. 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 cosponsorship.

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

The bill (S. 1138) to provide readjustment assistance to veterans who serve in the Armed Forces between January 31, 1955, and July 1, 1963, introduced by Mr. YARBOROUGH (for himself and other Senators), was received, read twice by its title, and 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 the benefit of post-Korean veterans, i. e., persons who first enter on 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 cutoff date under 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 this session.

Under the bill four major types of readjustment assistance, patterned closely after the aids 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, and (b) farmlands, livestock, machinery, etc., to be used in farming operations conducted by the veteran.
4. Mustering-out payments.

The four types of assistance 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, the 90-day service requirement would not apply.

Length of education or training: The education or vocational training period would be calculated by multiplying one and one-half times each day of the veteran's active military service between January 31, 1955, and July 1, 1963, and with respect to a veteran on active duty on June 30, 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 active military service, for purposes of determining his period of education or training, there would be an exclusion of time spent in certain courses of education sponsored by the Armed Forces.

Kind of training: Eligible veterans may use their educational 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 time, one-half time, or less than one-half time.
2. Cooperative courses, combining school and on-the-job training in alternating cycles. All cooperative courses must be pursued on full-time basis.
3. Correspondence courses and flight training.
4. On-the-job training: All job training must be pursued on 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 assisted in the pursuit of a program of education. For a veteran pursuing a full-time program in an educational institution, the education or training allowance would be as follows: For a veteran without dependents, \$110 a month; for a veteran with one dependent, \$135 a month; and for a veteran with more than one dependent, \$160 a month. 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 commence 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 persons separated from service prior to the date of enactment of the bill, the 3-year delimiting period respecting commencement of training shall begin with the date of enactment of the bill. All education or training under the bill would end on June 30, 1963.

SECTION 3—VOCATIONAL REHABILITATION FOR DISABLED VETERANS

Eligibility: To be eligible for vocational rehabilitation training, a veteran must have need of such training, as determined by the Administrator of Veterans Affairs, to overcome the handicap of a physical or mental disability, which is rated at 10 percent or more of total disability, and which is in-

curring 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 general, the period is limited to 4 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 any other type of training which, in the view of the Administrator of Veterans Affairs, is designed to lead to 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 by virtue of the enactment of this bill, training may be afforded such persons until 9 years after the enactment of the bill or 9 years after discharge or release from service, whichever is later. In addition, in certain hardship situations, the generally applicable expiration dates would be extended for 4 years. The additional 4-year period would be accorded in cases where (1) severe disability prevents training; (2) subsequent changes in discharges provide eligibility for training; and (3) service-connected disabilities are not established in time to begin and complete training before the general expiration dates.

Subsistence: A vocational rehabilitation trainee would receive a minimum subsistence allowance of \$65 a month if he has no dependents, or \$90 a month if he has one or more dependents; a full-time institutional 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. Operative 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 has no dependents, is \$105 a month; if he has one dependent, \$115 a month, plus \$10 for one child and \$7 for each additional child, and \$15 for a dependent parent. Where the disability is rated at 30 percent or more, the rates for the above classifications would be \$115, \$135, \$20 for one 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. There are, however, several notable distinctions between the proposed loans for post-Korean veterans and those already available to Korean veterans:

First, the loan rights of post-Korean veterans would not extend to the business loans and insured loans which are available to Korean veterans under sections 1813 and 1815, respectively, of title 38 of the United States Code.

Second, 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.

Finally, unlike the loans available to 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, the goal being to make the post-Korean loan program altogether self-sustaining. The amount of the fee may be included in the loan to the veteran and paid from the proceeds thereof. The fee would be deposited in a mortgage guarantee fund which would be used by the Administrator 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, 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, the 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 for the purpose of assisting 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. Banks or other lending institutions would make the loans, with the Government guaranteeing 60 percent of a loan for residential real estate, or 50 percent of other real estate loans. The Government's guaranty with respect to a real estate home loan could not 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, or combinations thereof, would be guaranteed with interest at the rate generally applicable under the loan program for Korean veterans. (Presently, the interest rate may not exceed 4½ percent per annum. If the proposed Housing Act of 1959 is enacted by the Congress, there would be a new interest rate not to exceed 5½ percent per annum). The loans would have maturities of not more than 30 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 is authorized to lend up to \$13,500 directly to the veteran when private capital is not available for a guaranty loan.

Expiration dates: Loans may be guaranteed if made before July 1, 1973. If a loan report or application for loan guaranty is received by the Administrator of Veterans Affairs before such date, an additional period not to exceed one year will be allowed for disbursement of the loan and issuance of evidence of guaranty.

SECTION 5—MUSTERING-OUT PAYMENTS

Eligibility: To be eligible for mustering-out payments a person must have served on active duty between January 31, 1955 and July 1, 1963, for 60 days or more, and must have been discharged under conditions other than dishonorable after the date of enactment of this bill. (In accordance with established precedents, only persons having the rank of captain or less in the Army or Air Force, or lieutenant in the Navy, would be eligible for these payments.)

Amounts and conditions: The amount of the mustering-out pay would be \$100 for each eligible person, without regard to whether his active duty was performed domestically or overseas. Persons who qualify for mustering-out payments both by reason of active service during the period prescribed by this bill and service during the Korean conflict, may elect to receive mustering-out payment under either period of service, but not both.

EFFECTIVE DATE OF BILL

The provisions of the bill shall become effective immediately upon its enactment,

except that no mustering-out payments shall be made to persons on account of discharges which occur prior to its enactment, and no education or training allowance shall be paid with respect to any period prior to 60 days after the date of such enactment.

AMENDMENT OF DISTRICT OF COLUMBIA SALES TAX ACT

Mr. JAVITS. Mr. President, on behalf of myself, the Senator from Oregon [Mr. MORSE], and the Senator from Indiana [Mr. HARTKE], I introduce, for appropriate reference, a bill to repeal the present 1 percent sales tax imposed in the District of Columbia on food purchased for consumption in the home. This measure 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 revenue. This fiscal expedient is most unfortunate since the existing tax does not provide the revenue that had been originally anticipated, but rather works a hardship on those who can least afford it. In addition, returns from other revenue sources, as revealed last year, exceed expectations. Local revenue needs are not so demanding that bread and milk need be levied upon; some \$2.25 million annually gained by the District of Columbia food sales tax is most assuredly available in a less burdensome form and from sources where the cost of collection is not so high.

From the disappointing receipts from this tax, it appears that this 1 percent levy is even more of a burden on low-income families than elsewhere, for, to judge from the difference of more than \$1 million in anticipated receipts. 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 pay the additional 1 percent. Among the Nation's largest cities only in Chicago, Detroit, and St. Louis, other than Washington, is there a tax imposed on sales of food for 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 very small portion of the some \$250 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 Capital City than this 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 sold, introduced by Mr. JAVITS (for himself, Mr. MORSE, and Mr. HARTKE), was received, read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. CARLSON. Mr. President, on behalf of myself, and Senators MORSE, MAGNUSON, NEUBERGER, CURTIS, 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 lay on the desk until the conclusion of the session on Wednesday, February 25.

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

The bill (S. 1140) to amend the Agricultural Adjustment Act of 1938, as amended, 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 has 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 U.S. Courts. Whereas 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 of Maryland's judgeships 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 allowed 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 end of the first month of its taxable year. Because the Technical Amendments Act was not passed until September of 1958, it was provided that in the case of a taxable year starting in 1958, but before the date of enactment, the corporation was allowed to make the election at any time within the 90-day period beginning on the day after enactment. This meant, 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.

The 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 to find out some information about 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 not be under the 90-day 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 shorter period for making his election to use subchapter S.

There is no reason why these taxpayers in the two cases which I have described should 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, introduced by Mr. McCARTHY, 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 nobly 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 men should set upon their neighbors out of pointless prejudice.

That bombings of houses of worship and schools can take place in this land of freedom.

These are the symptoms of an illness turned into contagion by demagogues.

But let 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 rearguard 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 in 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 thus 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:

Whereas the United States of America was founded on the firm basis of freedom of thought and conscience; and

Whereas the fomenting of antagonism between Americans on a basis of sectarian creed is contrary to American traditions and to the spirit of the guarantees of freedom of worship embodied in the Constitution of the United States; and

Whereas it ought to be, and is hereby declared to be, the policy of Congress to encourage the mutual understanding of all people of good will; and

Whereas the program of the interfaith movement offers a practicable means for encouraging such mutual understanding; Therefore be it

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 the President of the United States is authorized and requested to issue annually a proclamation calling on the people of the United States 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.

ERECTION 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 within 5 years of the enactment of the bill. I have received assur-

ances that there would be little difficulty in securing these moneys from among the over 1 million Americans 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 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 published 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 past and their contrast of it 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 was to be one. Within 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 write or paint. He was not 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 not wavered in his support of human and Ukrainian freedom and human dignity.

Shevchenko's poetry, despite attempts at official censorship, was known throughout all of Russian-held Ukraine, and became the model for Ukrainians living in the western Ukrainian lands within the Austro-Hungarian Empire. His name became synonymous among Ukrainians everywhere with the advocacy of national independence and democracy, of national interdependence, and of cooperation and of a high type of social and national thinking.

In 1917, it was the poetry of Shevchenko that inspired the Ukrainian movement for independence and encouraged the Ukrainian National Republic in its desperate struggle, alone and unaided, to protect itself against the aggression of the Russian Communists. It was Shevchenko's poetry that encouraged the Ukrainians forced within the Soviet Union to continue their

struggles for freedom, and in World War II encouraged and fostered the Ukrainian opposition to both Fascism and Communism.

Today there are over 1 million Ukrainians and Americans of Ukrainian origin in the United States. Some emigrated here before World War I. Some came after World War II, under the provision for the settlement of displaced persons. Both groups have become American citizens, and are playing their constructive role in the United States of the present. Their young men and women are assuming positions of ever greater responsibility in American life. They are thrifty, industrious, and law-abiding people; and, one and all, they recognize the role that Shevchenko played in that development by linking the old democratic beliefs of the Ukrainians and their traditions, dating back to the time of the Second Ukrainian Kozak State, and even before, with the American ideals of independence, freedom, and equality, as expressed by George Washington and the other founders of the American Republic.

Mr. President, it is only fitting that the statue of such a national hero, who taught the American ideals of patriotism and service to man, should stand in the Capital of the United States.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

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 of assistance to school districts in meeting the debt service on loans for

construction of urgently needed elementary or secondary public school facilities, and for other purposes, introduced by Mr. MORTON (for Mr. SALTONSTALL and Mr. PROUTY) on February 9, 1959.

COLLEGE FACILITIES 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, 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. PROUTY) on February 9, 1959.

ADDITIONAL SPONSOR OF BILL DEALING WITH DONATION OF SURPLUS PROPERTY

Mr. STENNIS. Mr. President, recently I introduced S. 1018, 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 COSPONSOR 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. SCHOEPEL] 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.

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

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

By Mr. PROXMIRE:

Editorial on the use of dairy products, published in the Milwaukee Journal.

NOTICE OF HEARING ON NOMINATION OF JAMES W. RIDDLEBERGER, TO BE DIRECTOR OF INTERNATIONAL COOPERATION ADMINISTRATION

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate today received from the Presi-

dent 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 6 days, in accordance with the committee 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. MURRAY], 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 their recognition of the urgent need for such a comprehensive legislative program, in order that the Senate may deal wisely with the complex and critical needs of all 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, 1959, the distinguished chairman of the Committee on Appropriations, the Senator from Arizona [Mr. HAYDEN], placed in the CONGRESSIONAL RECORD, a highly informative article on the Arizona watershed program. I have read the article with interest and profit, and I commend it to the attention of all Senators who are concerned with the water resources of their own States. I am hopeful that at an early date the Senate Committee on Interior and Insular Affairs will report Senate Resolution 48.

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. Multiple-purpose planning is not an empty bureaucratic term as far as water is concerned. Not frequently 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 PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, when I submitted Senate Resolution 48, I called attention to the fact that the adequacy of water resources is becoming

an increasingly important factor in the economic development of many areas and regions of the United States. As an example, I pointed out that banks and other financial institutions responsible for the investment of large sums of money examine water problems in the broadest terms, and I included in my remarks on that occasion a study of water availability that had been prepared for the Federal Reserve Bank of Kansas City. This study appears on pages 1158-1160 of the RECORD.

The Federal Reserve Bank of Kansas City is continuing its proper and very wise concern with how, and when, possible water shortages may limit economic development. In a further study, these questions are brought to specific focus in the Federal Reserve District served by the Bank of Kansas City. This district comprises the States of Colorado, Kansas, Nebraska, and Wyoming, and portions of the States of Missouri, Oklahoma, and New Mexico. This study, it seems to me, is an outstanding example of how crucially important data on water resources can be made meaningful in relation to economic development.

The study presents an excellent summarization of data on the water supplies available in relation to future use requirements. It concludes with the observation that, on the basis of these data, water conservation measures are of legitimate concern in large parts of the district served by the Federal Reserve Bank of Kansas City. I quote the final sentence of report, because it is equally applicable to virtually every section of the United States:

If the problem of water conservation within a region is to be approached intelligently, it is necessary to know something 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 the area; (2) is the structure of the economy evolving in such 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?

These questions, so ably and concisely put, are among the major ones to be examined under the terms of Senate Resolution 48.

I ask unanimous consent to have the full text of this further report of the Federal Reserve Bank of Kansas City printed at the end of my remarks.

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

(See exhibit 2.)

EXHIBIT 1

WATER RESOURCES IN THE UNITED STATES

(Lecture given at U.S. Department of Agriculture Graduate School, February 13, 1957, by Edward A. Ackerman)

There is a familiar aphorism, generally applied to nonmaterial things: Absence makes the heart grow fonder. Without question it can also be applied to water. We are having a good illustration of its application in the western drought. I am sure that many of you are all too familiar with the drought by now, and all of the statistics and data concerning it. Two million acres severely damaged and the 29 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 in the Plains and Southwestern States has 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 vital dependence of a modern economy on water. It has shown that water is distributed unevenly, both geographically and in time. Some parts of the earth are 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 problems are of human creation as much as they are the result of natural catastrophe. We all know that our ignorance is deep as to the basic natural processes which lie behind the drought. We do not have the scientific vantage point where we can glimpse the grand natural design of these moisture fluctuations.

At the same time more and more people have been attracted by life in the western United States. Some have been attracted by the amenities of living in the open spaces under a dry climate. Others have shown a high propensity for risk-taking, 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 hope, by our pricing system. There can be little doubt that price supports for wheat have had a direct bearing on the condition of the drought area. Public 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.

To understand the water resource problems we read about, it may be helpful to describe briefly the place that water has in our life, both physiologically and economically.

Where there is life there must be water. There is no organism today, plant or animal, which is not highly dependent on it. This is true even for those forms of desert life, like the kangaroo rat, which live for long periods without visible water intake. A seed will not sprout without water. Indeed the cells which make up the seedling growing from a seed are largely water. Water has a basic role in the formation of the protein molecule, the fundamental material for all living matter, plant and animal. No less than light it is essential to photosynthesis, the biochemical process by which food crops and all other plants obtain the principal raw materials for their growth. For every pound of dry stalk, leaf, or seed produced by any plant, from 300 to 1,000 pounds of water must be absorbed and discharged, or transpired, by the plant.

Apart from fat, the tissues of all animal bodies are 70 to 90 percent water, including those of our own bodies (about 71 percent water). Water's great importance to existence itself for the higher forms of life is shown by loss tolerances. An animal can lose nearly all its fat and one-half the protein from its normal body and still live. If it loses a tenth of its water it will die.

WATER AND A MODERN ECONOMY

The rain and snow which fall on U.S. territory must serve the consumptive life needs of every tree, crop, animal, and human be-

ing living here. But the runoff and infiltrated waters have uses far beyond the food and sustenance which all living things require. In many ways it is at the heart of our industry, commerce, and other aspects of our organized economic life.

Water is by far our major industrial solvent. Consider the extent of its laundry uses alone in this respect. It is an essential waste carrier everywhere, and the most widely used means of fire control. Water also is one of the most widely enjoyed media for outdoor recreation. It is essential to the production of nearly every kilowatt-hour of electricity which lights our rooms, heats the electric range, turns the washing machine, or powers the television set. It offers the cheapest medium for heavy transportation. Few common industrial products are manufactured without the expenditure of water which weighs many times the finished material itself. It is used in our factories as a coolant, solvent, flotation medium, energy transfer agent, diluent, and in other ways.

To make the paper in a 5-pound Sunday newspaper 1,250 pounds (100 gallons) of water were used. The ton of steel in the average automobile requires 285 tons of water in its conversion from iron ore. Each gallon of gasoline consumed as the auto moves along the road represents the previous use of about 25 gallons of water in its manufacture.

One may go on with a long list of familiar modern commodities, all of which require the use of a great deal of water. That archetype of all modern industries, the chemical industry, in particular, is a heavy water consumer. This is illustrated by the manufacture of rayon. The 5 pounds of fiber found in a man's summer suit required the use of about 11,000 pounds of water in their creation. In short, our industry, like life itself, would not exist without water. Water is the most used material moving through our factories.

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 demands. 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. Sixty-five percent of the earth's surface is composed of oceans and seas. In them there probably is water on the order of 155 trillion acre-feet.¹ This is about a million times the annual water use of the United States for all purposes.

These great bodies of water are useful to us and to other men as important highways of commerce, in their support of marine life, and as the principal source of water vapor which later serves the land with rain. However, the vast water supply of the oceans is of little use in meeting our most vital needs. This is because of our own specialized demand for water, and because of its superior qualities as a solvent, which has made the oceans great repositories of dissolved minerals. Sodium chloride, or common salt, is chief among them. It makes sea water useless for the consumptive water needs of men, and for the land animals and plants on which we depend. This is one of the great technical challenges: How can the nearly inexhaustible supplies of the sea be made to serve more of the needs of men? Ninety-three percent of all the water on earth is in the seas, yet none of it is usable for drinking by man or land animal without extremely expensive treatment. It is of no use in irrigating any crop.

The greatest water needs are for mineral-free or lightly mineralized water. This generally means a low content of chlorides and

sulfates in solution, for very little water that comes from the surface of the land or underground is mineral free. Sea water leads all the major water sources in extent of mineral content, as well as in the total amount of water.

Men have had water problems from prehistoric times not only because water is a 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 civilized man. The kind of water we need is not found everywhere, even on the interior of the land masses. For instance, ground waters in large amounts may be found on or under sections of the Great 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 seas. Thus that part of the United States generally east of the 100th meridian and a section of the Pacific Coast States have the most abundant water supplies of the country. Between are large parts of the 17 Western States which are very sparsely provided with water. Some are permanent drought areas, some are sporadic deserts, 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 stream valleys that carry periodic runoff from rain or snow melt. They also occur in some porous rock or soil formations that have the capacity of storing and releasing water when they are tapped. In this country most, but not all of these formations occur in the Eastern States. Some important formations underlying the Great Plains and other parts of the West are in the nature of deposits rather than reservoirs. That is, they have very little known replenishment or recharge. They must be thought of as minable material, rather than continuously dependable future sources of water.

Taken over the Nation as a whole, continental U.S. territory probably receives on the average about 4.8 billion acre-feet of water a year through rain and snow. About 70 percent of this is returned directly to the atmosphere as evaporation, by transpiration in the growth processes of trees, crops, or other plants, by retention in vegetable tissue, or by infiltration into soil spaces and permanent ground water aquifers. About 1.4 billion acre-feet thus becomes surface discharge or runoff. This water forms the most readily usable concentrated supplies. In addition, great reserves of water are known to be stored underground. The usable ground water in storage is thought to be at least equal to 35 years' runoff.

Our present annual rate of consumption is about one-seventh the annual runoff, or about one two-hundredths of the estimated stored ground water. Thus in spite of uneven geographical distribution we seem to have a natural margin to work with in the future. Why then do we have water shortages, and other water problems?

WATER PROBLEMS DERIVING FROM OUR ECONOMIC AND SETTLEMENT HABITS

Water problems have become increasingly apparent in this century for several reasons. As I suggested in the first few minutes, our economic and settlement habits do not fit the pattern of water availability given by nature. Water's versatility leads us into confused and sometimes contradictory planning. Ignorance of the delicate balances involved in natural water supply frequently has led to permanent losses. Perhaps more

¹ An acre-foot is 325,850 gallons.

than anything else this Nation has problems because it is growing.

Even the sparsely settled United States is being rapidly filled with people. Our population has doubled since 1900. Within 25 years we expect to add another 55-60 million people. Since we use water at the rate of about 145 gallons per person per day we can anticipate direct new water requirements of at least 9-10 billion gallons a day by 1975 for people who are not yet with us.

The water problems brought by a growing population have been accentuated by an accelerating rate of water use. Since 1900 the rate of water use has increased about twice as fast as the population. In the time the population has doubled annual water consumption has quadrupled. Temporary shortages and underdevelopment in a basic growth situation of this kind are almost 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 and to farm in those sections of our country where water is scarce. The growth of the West, and especially of California and the Southwest, in the last two decades has been striking. Between 1930 and 1950 the population of the United States as a whole grew about 22 percent. That of nine Far Western and Southwestern States grew from 32 to 86 percent in the same period. As people are attracted by the amenities of the Californian and desert climates, as the suitability of the Southwest for defense activities is exploited, we create water supply and water development 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. Congress. Recently it committed the Nation to one of the largest water development projects ever planned, the \$700 million Upper Colorado Basin project. Still 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 movement of waters within its boundaries. There are many lesser works—completed, under construction, or planned—which are testimony to Americans' attraction to live in regions where water is naturally scarce. Out of the drought we cannot fail to get proposals for still other works of considerable cost.

Water problems also are created by our increasing tendency to concentrate in dense settlements. The United States is becoming more and more an urban Nation, and with each step in that direction a water problem is created. Water in sufficient quantities to serve cities of hundreds of thousands or of millions usually cannot be found in the immediate vicinity of such settlements. The drier the region the more serious the problem of finding an adequate urban supply, but cities in humid sections of the country have their water troubles also. Thus the Los Angeles area has to carry some of its water 250 miles, and even now is concerned about adding still more distant supplies. Denver will have to cross a mountain range to get enough water. A number of cities on the Plains and in the Southwest know what serious or crippling water supply difficulties mean. Some, like Wichita, Kans., or Dallas, Tex., have real engineering puzzles as to where they can turn in a dry environment for the large additional supplies they need. In the humid East the great New York metropolitan area had first to tap the streams of the Catskills, and then the Delaware River, 70 miles away. Boston, Mass., solved its problem only with a 70-mile aqueduct that car-

ries water from central Massachusetts to that metropolitan area. In all, the U.S. Geological Survey reported that in 1953 about one-third of the 200 cities in the country above 50,000 population were suffering in some degree from inadequate water supplies. One-fourth of all the people served by public water supplies had their service curtailed in the summer of 1953.

Few, if any, of these urban water problems are insurmountable. They all have solutions—at a cost. But as the people of the country reside more and more in urban and suburban areas, as they are destined to do, we add proportionately to problems of water supply.

Contrariwise we have created still another water problem for ourselves by insisting upon living and working where there is too much water. We have sought out land where natural safety valves are provided for the disposal of surplus water during periods of heavy rainfall or snowmelt. The fertile, level-lying flood plains of all streams are attractive to farmers, to the constructors of railroads and highways, and to the urban developer. This is all right if our city buildings, factories, farms, and roads are constructed and located in a manner which recognizes the prior claim of the river to the flood plain space. More often than not we have ignored this seemingly obvious geographical fact. Thus disastrous floods are reported from some part of the country almost yearly. Not so many years ago it was the Ohio, the Tennessee, the Missouri, and the Mississippi. Only 5 years ago the half-billion dollar Kansas flood came, and in 1955 it was New England, Pennsylvania, and California which suffered multi-million-dollar flood damages. These all have occurred because we have ignored some of the basic geographical facts about water movements as we tilled, built, and went about our commerce. From man's point of view floods are like weeds and dirt—floodwaters are matter out of place. But they cannot be ignored.

FUTURE WATER PROBLEMS OF SERIOUS NATIONAL CONCERN

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. "Multiple-purpose planning" is not an empty bureaucratic term as far as water is concerned. Not infrequently 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.

Of water's many uses three or four are of special concern in the future. Irrigation, waste-carrying, industrial water supply, and recreational use deserve individual mention.

There probably is no unirrigated farm in the United States which could not improve its production by conversion of some land to irrigation. Only within the last few years has this fact been realized in the eastern section of the country. The future therefore now is likely to bring a large expansion of irrigation where formerly it had been considered a curiosity. Irrigation is a very heavy water user. Its expansion in the regions where the largest cities and the heaviest industrial use are located inevitably must create competition for both local and regional water supplies.

Some conception of the meaning of expanding irrigation for water use may be obtained from present water consumption. About half the water used for all consumptive purposes in the United States is taken by irrigation. This is true in spite of the fact that only 7 percent of our cultivated land is now irrigated. Ninety-six percent of our irrigation water used is in the 17 Western States. It is interesting that these 17 States, with less than a fourth of the national population, use more than half of the water consumed. Present use in the West

clearly shows the major impact of irrigation upon water consumption wherever irrigation becomes prevalent.

The second water resource use of serious future concern is waste carrying. We particularly tend to obscure the importance of this water function by referring to "pollution." Waste disposal is actually one of the more important functions of water, and pollution is nothing more than waste disposal which disregards the multiple uses of water.

There is no doubt that water pollution has been increasing, is serious, and may be even more serious in the future. Carl Schwob, of the U.S. Public Health Service, reported in 1955 that effluent from sewage and industrial waste outlets equivalent to wastes from 150 million people was being discharged untreated into American streams. This includes waste water from toilets, bathtubs, sinks, laundries, hospitals, mortuaries, food processing plants, and other industrial plants. More than 2,000 industrial works were discharging inorganic wastes, like acids and poisonous chemicals, which are not measurable in terms of population equivalent.

No program yet in sight can take care of this backlog of pollution, and at the same time cope with the additional population and additional industry in prospect. In my opinion this includes the program of the Water Pollution Control Act passed in 1956 by the 84th Congress. Under present development planning we must therefore expect polluted waters from existing types of contamination to detract from water availability indefinitely into the future.

In addition we are faced with a new and partly unassessable problem as we look at the possibility of radioactive waste discharge, which may pollute surface waters from the atmosphere as well as from industrial waste water outlets. Because of this prospect we may have to examine entirely new methods of industrial locations and water development planning.

Other major water problems in prospect are the provision of water for industry, and a vast new demand for improved recreational use.

The President's Materials Policy Commission estimated a near doubling of industrial water use in 1975 as compared to 1950. The Commission considered industry the major prospective consumer of water, probably accounting for three-fifths of American water consumption in 1975. While it is likely that the Commission seriously underestimated irrigation demands, their forecast of industrial use is further indication of the need for multipurpose planning, even in the context given it by the Commission.

The recreational demand is difficult to appraise, but very real in spite of our past tendency to neglect it in development. As natural water sites 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

The United States, then, is faced with water problems. Is it also faced with any actual and serious permanent shortage of the services which water can give? I believe the answer is "No".

This answer does not mean that every community, every region, and every enterprise will have all the water it could use. We know from the drought area that real shortages of large dimension are being experienced. Still other shortages are likely in the future. But we do have within our means now the engineering and technological skills to solve any water problem that can be anticipated in this country during this century. With runoff at seven times present annual consumption, and vast ground-water supplies, the Nation as a whole also would appear to have adequate natural supplies over this period. Pollution

control, water recycling, long-distance transportation of water, judicious industrial location, and careful multiple purpose planning could enable us to meet any problem that exists or is likely to arise. A more important question than our absolute capability to care for water problems is the question of the relative cost at which we undertake needed development.

The significance of this question is suggested by past water development expenditures. The capital investment of the United States for use and control of water already is about \$50 billion. This is half again as much as our total investment in railroads (about \$32 billion). Within several decades we may expect expenditure by private interests, municipalities, States, and Federal Government to add as much as \$150 billion more to the water facilities investment. Our annual water supply bill alone is on the order of \$3 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 far more costly than it need have been by poorly planned location of urban settlement and industry, by single purpose water planning, by indiscriminate use of streams for waste disposal, by commitments to develop some of the most expensive lands to irrigate in the Nation (as in the upper Colorado Basin project), by overbuilding industry, trade, and agriculture on "mined" ground water (as in southern Arizona, parts of California and possibly the southern High Plains in Texas), and by legal restrictions on the movement of water across State lines.

There is a second pertinent and important question. In view of the very significant differences in natural water supply throughout the country, which regions should be encouraged to develop further? That is, how far should we go in transporting water from surplus areas, or apparent surplus areas, to those which are in apparent need? With the technology of the past, 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 effectively and economically. Throughout the West, for instance, the transportation of water from mountain catchment areas to arable alluvial lands lying below is considered only good sense. However, with our present technology and that of the future, we are entering a period in which interregional transport of water over great distances may be entirely feasible both technically and economically. The Los Angeles Basin, and for that matter a good part of 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 are likely to be formidable legal barriers to such water movements. At present we find it difficult to move water even within some large drainage basins.

Legal restrictions on water movement present some especially difficult problems for economical development in the future. Our State boundaries have very little relation to drainage basins, streamflow, or ground-water deposits. Accordingly, where water has been scarce, States have arrived at negotiated compact divisions of important water supplies. 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 manner in which such negotiations are concluded will have serious consequences for the future cost of water development wherever agreements on water division apply.

If we cannot obtain water from the surface, you may say, why not draw it from the ground? We can, in large quantities. 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 West. But here we have a most interesting further question as to what we should do, and how what we do will affect the cost of supply. Some important aquifers definitely are in the minable class, with little water replacement from rain or other atmospheric source. Nevertheless the water 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 for the Nation and an individual region over the long run.

In coping with such problems we are technically fortunate. Our vision need not be limited by our present techniques, or even by your present natural supplies. Weather modification and desalination 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 rain and snowfall where it is needed. One study showed about 20 percent of the country recently to be target areas for scientific rainmakers. Broadly viewed, the value of results from present weather modification methods is much in doubt. However, the boldness of concept and the scale of effort now being applied make weather modification something to watch, even if it is ambitious and we cannot yet plan upon it.

Work toward desalination 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 such processes will not be cheap, but it is likely to be economically usable in dry areas possessing other economic advantages, but lacking water. This also is an effort to be watched, because eventually such techniques will apply to sea water.

These more ambitious technical objectives should not obscure other lesser, but still significant, goals for scientific and technical effort. Among them is work like plant breeding for lesser transpiration and smaller water consumption by crops than at present, use of salt water by industry, application of evaporation control substances to surface reservoirs, use of more advanced drilling and recovery techniques on ground water deposits, and others.

Thus the sky and the oceans and our own technical ingenuity would seem to supply the final limits in our search for water.

It is easy to end on such a general note of optimism, putting one's faith in the capacities of science to better our lot. For that reason it may be wise to examine a concrete case, the water supply problems of a single region. This is what I shall do briefly in closing.

To do this I should like to return to the region we started with, the drought area of the Southwest and the Great Plains. Let us assume that we wish to or must support more people in this region. We also insist that they be supported at a level of income

which reflects national economic progress. To do this they need more water, perhaps a lot more water. Where do we get it?

The first place to look is toward the collection, storage, and distribution of surface waters now unused within the region itself. There is no doubt that the upper Colorado River storage project authorized last year by the Congress is a step in this direction. There also is an interesting plan in the making for the provision of water to all of the Texas coastal cities, and for the irrigation of a million acres more in the coastal section of Texas. This can be another step. I understand that the Texas plan is considered economically feasible without national subsidy. However, most projects of this kind in the West will depend on some subsidy, particularly if they are agricultural. There is a question, therefore, as to how far the remainder of the Nation wishes to go in the direction of subsidized water supply for further western growth.

A second additional source of water is the exploitation of ground-water deposits. Some of them could be mined at a high rate of withdrawal for perhaps 30 years, in the manner of the southern Arizona waters. But we have not yet decided what the social and economic implications of such a policy and practice would be. On a sustained-yield basis, the withdrawals might support only very modest growth.

We might also look for more water outside the region, importing it from regions of known and likely surplus. This is technically feasible. However, I would expect formidable legal handicaps to realizing such plans. Regional and State competition for water will be great enough to limit this source of additional water for the drought area sharply.

Were it possible, the best source of all would be increased rainfall. Can the rainmakers give us help? Regrettably, very little. We need the water most during the period of drought. But rainmakers not only need naturally formed clouds; they need a very special type of cloud. Very few, if any, seeding clouds appear in the drought area within 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, probably eliminating drought-period distress for the present population, and permitting some growth of population beyond the present. Use of extensive ephemeral ground waters can permit further significant additions to growth, but for a limited period only.

When I refer to the support of the present population or a growth in population in the drought areas, I must add a most important qualification. I do not mean the maintenance of 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 lands, on grazing lands related to irrigation areas, or in the activities that cities depend on. This added water can do nothing for the farmer of dryland crops during a drought such as the present one. These farmers are the heart of the present economic problems of the drought.

What we need most to help the dryland farmers is a scientific understanding of the rainfall cycle. Until we understand the great mechanism of the moisture cycle, economic foundations will continue to be laid on false hopes. The social psychology of the Nation encourages such actions. Thus, the most important activities relating to future economic and land planning on the Great Plains may be research on meteorology and climatology. Perhaps research can tell us what commonsense and experience have

not—the gambling odds faced by the farmer when he breaks the Plains with his plow. If we first seek adjustment to this environment, then we may be able to subdue it. Meanwhile, we might consider the words of a philosopher of another day: "There are two sorts of ruins—one 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 conflict with such social goals as the diversification of industry, residence in climates offering superior amenities of life, and regional development. Then it was suggested that a regional approach to the problem is highly desirable since it is not quite so subject to the charge of overaggregation. 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 constituted 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 their 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 Nation 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 total quantity of water deposited per day—6 District States

State	Average annual rainfall (inches)	Average daily amount ¹ of water deposited (billions of gallons)
Colorado.....	16.38	80.98
Kansas.....	27.12	105.82
Nebraska.....	27.77	101.70
New Mexico.....	15.00	86.55
Oklahoma.....	31.70	105.11
Wyoming.....	13.89	64.50
Total.....		544.66

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

¹ In the remainder of this article the term "district" will be used to indicate the six States shown in table 1. Missouri, the western part of which lies in the district, is included.

is considerably lower than the national average of 30 inches. In fact, only Oklahoma has an annual rainfall at least as high 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 on the district States is approximately 545 billion gallons. If it were to be assumed that the proportion of this amount lost due to evapotranspiration, runoff, and present consumptive uses² is similar for the United States and for the district States, a streamflow out of the district of some 136 billion gallons per day would remain. An independent estimate of streamflow from the district States can be obtained from readings of gaging stations on streams leaving the district States. Since the district spans the Continental Divide and since there are no streams running completely through the district from north to south, the readings on these streams will represent net outflow. A check of these readings discloses that, conservatively estimated, the probable surface outflow from the district during the period 1945 to 1950 was actually in the neighborhood of 60 billion gallons per day. This would seem to indicate that in the district a considerably higher proportion of total water resources is consumed by natural 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 resources is used for irrigation in the district (around 90 percent) than is true nationally (a little less than one-half). It is also consistent with the relatively low atmospheric humidity found in large areas of the district.

TABLE 3.—Water use in district States by the United States, 1900-1975

(Billions of gallons per day)

Year	Irrigation	Public water supplies	Self-supplied use			Total water use
			Domestic	Industrial and miscellaneous	Steam electric power	
1900..	20.19	3.00	2.00	10.00	5.00	40.19
1920..	55.94	6.00	2.40	18.00	10.00	92.34
1940..	71.03	10.10	3.10	29.00	22.20	135.43
1950..	100.00	14.10	4.60	46.00	38.40	203.10
1955..	119.84	17.00	5.40	60.00	59.80	262.04
1960..	134.95	22.00	6.00	71.90	77.60	312.45
1965..	148.07	25.00	6.50	87.70	92.20	359.47
1970..	159.01	27.80	6.90	103.00	107.80	404.51
1975..	169.68	29.80	7.20	115.40	131.00	453.08

NOTE.—The word "use" as found in this table does not indicate the same idea as the word "consumption" in the text. Use may be equated with the idea of water diversion or intake. Consumption refers to the difference between such water intake and water discharged and is roughly equal to evapotranspiration due to the productive process plus water embodied in the product. As has been pointed out before, the relationship between total use and total consumption is largely determined by the structure of use.

Source: U.S. Department of Commerce, Business Service Bulletin No. 135.

² Evapotranspiration refers to the return of water to the atmosphere by evaporation from streams, soils, and ponds, and by transpiration through the leaves of plants. A consumptive use of water is one which actually precludes (through evapotranspiration or embodiment in a product) the use of water by potential successive users.

TABLE 3.—Water use in district States by major use, 1950

(Millions of gallons per day)

State	Rural	Municipal	Industrial	Irrigation	Total
Colorado.....	50	170	70	8,623.87	8,913.87
Kansas.....	80	135	195	223.18	633.18
Nebraska.....	80	110	70	2,321.12	2,581.12
New Mexico.....	31	60	15	3,303.13	3,409.13
Oklahoma.....	70	140	32	160.70	402.70
Wyoming.....	25	34	18	2,874.61	2,951.61
Total.....	336	649	400	17,506.61	18,891.61
Percent of grand total..	1.78	3.44	2.12	92.67	100.00

Source: MacKichan, Kenneth A. "Estimated Use of Water in United States, 1950," U.S. Geological Survey Circular 115.

In accordance with the analysis used when the U.S. water supply situation was under consideration (December 1958 Monthly Review), the approximately 60 billion gallons of outward streamflow recorded by the gaging stations may be viewed as the maximum amount of water available, in the period immediately preceding 1950, for sustained development in the future. As was explained in the earlier article, this is true because any consumption of water in excess of the amount of streamflow would tend to result in a continuous depletion of ground-water resources.

The reader may have noted that the flow of the Missouri River from upstream States, which courses along a portion of the extreme eastern boundary of the six-State area, has been disregarded. This has been done because its importance as an actual and potential water source is probably limited to a narrow, relatively humid band along the eastern edge of the district and, therefore, its inclusion would seriously bias the representative quality of the aggregates used. In addition, interstate compacts, governing the division of the water of the Missouri's major tributaries among upstream States, and the probable streamflow requirements of the 9-foot navigation channel planned for the Missouri make it a less vast source of water for additional consumption in the district States than it might initially appear. In this connection, it should be noted that the Missouri is heavily dependent upon tributaries flowing into it from the west. Therefore, the depletion of the streamflow of the tributaries flowing into it from the district States would seriously deplete its streamflow and markedly inhibit effective navigation.

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. If 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 irrigational uses.

The application of ratios drawn from national data in the last two steps of the analysis of district water supplies is necessarily very problematical. For example, one 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

district's river basins have less ground cover than is generally encountered in more humid areas. On the other hand, storage reservoirs for impounding storm runoff are probably more prevalent in the district river basins than elsewhere. The exact import of considerations such as these cannot be evaluated precisely at present, but it appears probable that the estimate of district water availability presented above is not unreasonable.

DISTRICT WATER USE

The 10 billion gallons of water per day, which according to the above analysis is roughly the amount available for future development, is equal to about one-half the total withdrawal for all purposes in the district in 1950. If it is presumed, as seems reasonable in the light of available evidence, that some two-thirds of the water used for irrigation and about 10 percent of the water used for domestic and industrial purposes is consumed, this would mean that nearly 12 billion gallons of water per day were consumed in the district in 1950. Thus, there appears to have been about 80 percent as much water available for development in the district as was being consumed.³

TABLE 4.—Projected water use in the 10th district, 1975, based upon projected use in the United States

[Billions of gallons per day]

Year	U.S. ¹ use	District ² use
1950.....	203.10	18.89
1955.....	262.04	24.37
1960.....	312.45	29.06
1965.....	359.47	33.43
1970.....	404.51	37.62
1975.....	453.08	42.14

ESTIMATED CONSUMPTION OF DISTRICT STATES IN 1975

Pattern I ¹	26.47
Pattern II ²	13.21
Pattern III ³	22.23

¹ Figures for U.S. water use in 1950 and 1955 and projections of water use for following years obtained from U.S. Department of Commerce, Business Service Bulletin No. 136.

² Based on the assumption that district water use will remain a constant proportion of national water use.

³ Based on the assumption that the distribution between irrigational and nonirrigational uses of water in the district in 1975 would be similar to the distribution now prevailing in the district and that the rate of depletion per unit of water diverted for irrigation is $\frac{2}{3}$ and in nonirrigational uses is $\frac{1}{6}$.

⁴ Similar to footnote 3, except that the 1975 distribution of water between irrigational and nonirrigational uses in the district was assumed equal to that projected for the United States in 1975. See table 1.

⁵ Similar to footnote 3, except that the 1975 distribution of water between irrigational and nonirrigational uses in 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.

⁶ It should be noted at this point that the notion of water consumption is somewhat more clear cut when viewed from a regional rather than a national perspective. It is by no means clear that evapotranspiration or embodiment of water in a product constitutes a net reduction in the available quantity of water. Evapotranspiration over the land areas and oceans of the world is the source of rainfall. A significant proportion of the water evaporated or transpired over a large land mass is likely to return to that land mass 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 the less severe the smaller the area under consideration.

This, of course, more nearly represents the maximum possible availability of water to the district rather than the probable availability since it neglects the fact that further large-scale depletion of streamflow by district States—at least in the western part of the district—could result in serious disagreement among upstream and downstream States or nations. This problem would present itself in extreme form in the case of the Rio Grande Basin, for example. 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 Texas by interstate compact, 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.⁴

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 first presumes that water use in the District will rise in the same proportion as that projected for the United States as a whole. The second presumes that district 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 now found in the district; (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 represents low irrigation use, and pattern III represents intermediate irrigation use of water. In each case 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.⁵

As table 4 indicates, if the use of water in the district grows at the same pace as projected national use, the rate of diversion will almost double between 1955 and 1975. The degree to which the consumption or depletion of district water resources advances will depend heavily upon the distribution of increased diversion as between alternative uses. Especially important is the distribution between irrigational and other uses because of the highly consumptive nature of irrigation. This point may be clearly seen in table 4. Given the conditions visualized in making the projections, pattern I, which presumes 93 percent of the water diverted in 1975 will be for irrigation (approximately the present pattern in the district), results in nearly twice the water consumption of pattern II, which presumes 38 percent of the water diverted in 1975 will be for irrigation (the projected pattern for the United States in 1975). Pattern III represents an intermediate result which rests upon the presumption that 75 percent of the water diverted in 1975 will be for irrigational purposes (the pattern projected for the 17 western States in 1975).

It will be noted that pattern I would add some 14 billion gallons of water a day to the 12 billion gallon consumption of the district States in 1950. This would exceed the total amount available for future development as

⁴ The Report of the President's Water Resources Policy Commission, vol. II, 1950, p. 293.

⁵ These depletion rates are meant to represent reasonable magnitudes. Obviously the rate of depletion for these broad categories of use will vary somewhat with the specific structure of use within each category.

it has been computed in the article. Pattern III, the intermediate irrigation pattern, would, on the other hand, exhaust the total supply by 1975. The amount of water consumed under the low irrigation situation, as illustrated by pattern II, would fall well within the limit of the total computed supply.

TABLE 5.—Projected water use in the 10th district, 1975, based upon projected use in the Western United States

[Billions of gallons per day]

Year	Western States ¹ use	District ² use
1950.....	82.35	18.89
1955.....	127.66	29.28
1960.....	149.98	34.40
1965.....	170.51	39.11
1970.....	183.90	42.18
1975.....	197.30	45.25

ESTIMATED CONSUMPTION OF DISTRICT STATES IN 1975

Pattern I ¹	28.42
Pattern II ²	14.19
Pattern III ³	23.87

¹ Figures for water use in 1950 and 1955 and projections of water use for following years were obtained from Heinrich J. Thiele, "The Water Problem in the West," Western Business Review, the College of Business Administration, University of Denver, August 1958. The 1950 figure for Western States use is a backward projection based upon a statement in Mr. Thiele's text to the effect that water use increased by 55 percent during the years 1950 to 1955.

² Based on the assumption that district water use will remain a constant proportion of the projected water use of the Western States.

³ Based on the assumption that the distribution between irrigational and nonirrigational uses of water in the district in 1975 would be similar to the distribution now prevailing in the district and that the rate of depletion per unit of water diverted for irrigation is $\frac{2}{3}$ and in nonirrigational uses is $\frac{1}{6}$.

⁴ Similar to footnote 3, except that the 1975 distribution of water between irrigational and nonirrigational uses in the district was assumed equal to that projected for the United States in 1975. See table 1.

⁵ Similar to footnote 3, except that the 1975 distribution of water between irrigational and nonirrigational 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.

The figures in table 5 were derived by a technique similar to that used in table 4, except that projected district water requirements are related to requirements projected for the 17 Western States rather than the United States as a whole. Since the rate of use of water in the Western States may be expected to grow relative to that of the Nation as a whole, this procedure results in higher estimated water use in the district in 1975 than was shown in table 4. The conclusions concerning the various patterns of water use which may be drawn from this table are basically similar to those drawn from table 4.

The calculations of water supply and use in the district presented in this article are necessarily crude and should be taken as no more than rough estimates. Nevertheless, even allowing for a large margin of error, they do indicate that potential water shortage is a severe problem in the district, especially if the pattern of use is not altered radically from that now prevailing. When one considers the problems of distribution concealed by the aggregate statistics even at a regional level, it becomes evident that the economic development of particular areas in the district may soon be seriously inhibited by water shortage.

It is often emphasized that various measures can be used to reduce greatly the quantity of water used in the output of a given amount of commodities. Most of these measures, it should be noted, relate to a reduction of use rather than depletion. And

the calculations in this article, it will be recalled, are based upon depletion. Even if measures were taken to reduce industrial depletion of water, total consumption could not be significantly reduced in either pattern I or pattern III by such conservation methods because of 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 is primarily a matter of economics. If the problem of water conservation within a region is to be approached intelligently, it is necessary to know something 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 nationalisms are today the subject matters of foreign policy.

We are at the same time increasingly aware of the interrelationship between what we do here as a Nation and our ability to project our influence abroad. An obvious example is 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 are much less aware of the intimate connection 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 state of the American economy generally is even more fundamental. In years past we have frequently heard used in the Halls of Congress, as an argument against the mutual security program, the cliché that the primary tactic of the Russians is to trick the United States into spending them-

selves into oblivion. Now that the Soviet Union has embarked on its own large-scale foreign-aid program, perhaps we shall hear less of that argument against the mutual security program. But the underlying point—namely, the importance of a healthy economy here—is, nevertheless, worthy of our continuing concern.

Just what is the connection between the American economy and the degree of success which we may hope to achieve abroad?

Although we did not seek it, we have been thrust into world leadership. A leader must be strong, in order to be successful. Not only must he be able to keep his own house in order, but he must make it a shining example to others.

We are now engaged in a struggle to stay free. We have reached the point where those who threaten us can, with a sudden military blow, do devastating damage to this country. Our opponents know full well, however, that at the same time their own country would be laid waste by our retaliatory power. This stalemate of deterrents by mutual horror seems likely to persist as far as we can see.

In the circumstances now prevailing in the world, our struggle with international communism seems likely more and more to concentrate on a fierce competition between different economic and political systems. The American system is one of real democracy and of a free, though not entirely private, system of economic organization. The contrasting Soviet system is one in which the state—that is, the Communist Party—owns, manages, hires, fires, fixes prices, makes economic plans, and does everything else which may be of controlling importance.

We are slowly becoming aware that in this competition between systems, the battleground is not so much in the countries of the competitors, where change seems unlikely. The real competition is in the neutral countries and in the newly independent and the hopeful-of-independence countries. These countries are watching closely to see how things are going in the United States, as compared with the way things go in the Soviet Union. In this age of travel, visitors from nations newly born are able to inspect the way of living and the standard of living in both the United States and in Communist countries. The real damage which the Russian sputnik did to us was that it destroyed an image, long held by the people of the world, that in the United States alone one could expect to find great leaps forward in technology and productivity.

Another fundamental connection between the economy of the United States and foreign policy is to be found in the fact that our economy and trade are tied up in so many ways with the economy and trade of other countries. The very size of the U.S. production and consumption unit in the world is significant. As the saying goes, when we sneeze, Europe catches pneumonia.

Furthermore, the United States depends for all except a few raw materials

upon sources of supply elsewhere. The quantities of the materials we buy and the prices at which we buy them mean almost life or death to many producing countries. The investment—public and private—originating in the United States is likely to make the difference between success or failure in the efforts of underdeveloped countries to improve their living standards.

I might sum up all of this by quoting a statement made last year by the German Minister of Economy, Mr. Erhard:

The U.S. dollar is the basis for the world payments system, and American stability is important for stability in worldwide economic relations.

Finally, the Federal budget itself is largely a foreign-policy budget; \$48 billion, or 62.3 percent of the President's expenditure budget for the fiscal year 1960, is devoted to major national security and international affairs and finance needs. These programs are the bone and muscle of foreign policy. They will give us the strength we must have in negotiating with Communist leaders. These are the programs with which we must try to influence in our favor the course of events.

I have skipped quickly over some of the reasons why the foreign policies of this country must always be rooted in sound domestic economic policies. I am no economist. My education, experience, and service in the Senate do not qualify me as an expert on financial matters. However, as a layman I do try to understand the economic situation in this country.

Calvin Coolidge said, in 1922, "Inflation is repudiation."

The National War Labor Board said, in 1956:

To prevent inflationary spirals it must be recognized that wages cannot be automatically adjusted to increases in living costs.

In 1949, the magazine Newsweek published this statement:

Inflation is a form of hidden taxation which it 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 present a table and ask unanimous consent that it be printed in the RECORD.

everyone must bring an attitude of unselfishness—an awareness of the public interest—to the marketplace.

The Federal Government, under the administration of President Eisenhower, can be depended upon to discharge its responsibilities in helping to keep prices level as the production of the Nation grows. I shall not attempt to review now the many continuing programs of the Government which assist in improving the economy, while at the same time they have an important impact upon the economic well-being of the entire free world.

It is obvious that the Federal budget has a tremendous effect on our economy. Measured against the current gross national product annual rate of \$450 billion, the estimated Federal expenditures of \$77 billion in the next fiscal year loom very large, indeed. What kind of a Federal budget is appropriate for the present business situation, in which the level of business activity has recovered, but still has a considerable way to go before approaching anything like a boom? A deficit Federal budget is appropriate to a condition of downturn or recession. A Federal budget which results in a surplus of receipts over expenditures is appropriate for boom conditions. For the in-between situation, for normal growth conditions—which is what we are approaching now—we need to have in our Federal budget an approximate equality between receipts and expenditures. That is the kind of budget the President of the United States has recently submitted to the Congress.

All of us desire and urge a strong Defense Establishment, better highways, sound conservation measures, and safe airports. It is easy for 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 nice 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 or some point beyond which the 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 life and livelihood of pensioners, retired people, and others who are obliged, through 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.

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 may proceed.

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. Too 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. Mr. Martin said:

A recent trip to several countries of the Far East gave me a welcome opportunity to see ourselves as others see us. One distressing experience was to find among intelligent and perceptive men in those countries a growing distrust over the future of the American dollar. Whether or not it is justified and certainly I think 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 would suggest to him a decline in the faith and credit of the United States, signaling in his mind a decline not only in American economic strength but also in moral force.

We must also think about our ability to sell our goods abroad. Many exporters have pointed out that any further rises in the prices of American exports would be quite unfortunate because many countries selling the same things which we produce are now in a position to meet the prices asked for American goods. Indeed, some countries, to whom we have loaned 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 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 their own 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 to encouraging inflation.

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.

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 am encouraged about the way in which the Senate has proceeded thus far in this session in acting on legislation requiring expenditures of public funds. I should like to quote from a 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.)

Inflation is one of the greatest ills of modern times. It gradually eats away the savings of the careful, stable people who are the foundation of free society. And sometimes sudden inflation will suddenly destroy a whole group of carefully protected families.

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 there are many worthy nonprofit corporations, such as charitable, religious, and educational institutions, on the list of tax-exempt organizations. I am not questioning the desirable principle involved. I have reason to believe, however, that there are some organizations now exempt which ought to pay.

It is time that we judged some other sacred cows.

What about the depletion allowance on the extraction of mineral resources? That allowance was fixed by law long ago, under different economic circumstances.

What about the deduction from taxes allowed for businessmen's expense accounts, under which many an unnecessary cost is passed to the consumer, and under which the Government is simultaneously deprived of much-needed revenue?

What about the capital gains tax? Why should the man who buys and sells, or produces and sells, be allowed to have a tax break which the wage earner cannot have? Should we reward brains in the stock investor more than we reward intelligence in our scientists and teachers who live on their salaries? Furthermore, why would it not be wise to proceed now to amend the Constitution of the

United States to give the President the right to veto individual items in appropriation bills?

As we proceed in the 86th Congress, let us consider carefully all of these possible methods for raising revenue or reducing unnecessary public expenditures. If we are to be strong in our foreign relations, 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 maintain sound economic growth in this country, without which, I am sure we will agree, no foreign policy can save us.

“THIS IS AMERICA—ALBUQUERQUE,
MONDAY”

Mr. CHAVEZ. Mr. President, the London Daily Express on Tuesday, February 10, 1959, published a column entitled “This Is America—Albuquerque, Monday.”

It has to do with the activities of the Atomic Energy Commission in my home city in New Mexico.

The article is most instructive and interesting. Besides giving an outline of the activities of the Atomic Energy Commission, it covers the historical aspects of the State, and discusses matters affecting the social welfare of the community, including heart research being conducted there.

I ask unanimous consent that the article be printed in the RECORD following these remarks.

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

THIS IS AMERICA—ALBUQUERQUE, MONDAY

H-bombs to Albuquerque are as bladders to Yarmouth, bacon to Wiltshire, rock to Brighton, garden gnomes to Wilecombe, coals to Newcastle. They are the great local product.

As I flew in I saw one of the cactus-covered hillocks beside the town honeycombed with mysterious holes, and three lines of electric fence around it.

The locals told me nonchalantly: “Oh, that’s the warehouse,” the H-bomb warehouse.

If people ever stopped wanting H-bombs so keenly it would mean a terrible slump in this bustling Spanish style New Mexico town.

Mind you, there are secondary craft industries like Indian silver, leatherwork, cow-punching, and atom bombs—but these are only old-fashioned tourist attractions.

Before 1942, when U.S. atom chief Robert Oppenheimer recalled he had been to school in a remote spot called Los Alamos and it might make a cute place for building bombs. Albuquerque was a sleepy town of 25,000 agricultural souls.

Since atomic city arrived, and since the U.S. Atomic Energy Commission moved its bomb headquarters to the Sandia base here, Albuquerque has grown to a swelling 200,000.

So when Ike announced his year’s ban on nuclear tests there were some long faces in Albuquerque.

And today I learned for the first time from an official here of the fantastic reorganization in U.S. nuclear research that this ban has caused.

He told me that U.S. bomb research is virtually stymied without tests. The scientists can’t go ahead improving their bombs without checking their ideas.

That meant that 55,000 workers kicking their heels. But, luckily for Albuquerque,

when that year is over they’ll have to be on hand and rarin’ to go.

Peaceful atomic research is benefiting from the work of hundreds of America’s best bomb scientists during this year.

So it’s an ill wind * * * this time with a magnificent fallout.

They say that New Mexico has had four distinct civilizations—the Indian, the Spanish, the American, and the Atomic.

After the bombs, Albuquerque’s most distinctive factor is its Indians.

And, strangely enough, these people, who have lived roughly the same way for the past 2,000 years, are closely bound up with bombs.

Two adobe pueblo villages, Santa Clara and Santa Domingo, nestle under Los Alamo’s walls. Indians work in the laboratories.

I visited Isleta, a pueblo beside the muddy, romantic Rio Grande near Albuquerque, that is right out of the atomic age.

The mud huts are almost unchanged, except for the Ford Fairlans and Oldsmobile convertibles standing beside the beehive bread ovens in the backyards.

In the village is a circular walled arena for secret ceremonials, the ancient Catholic missionary church, old men with copper faces and uncut hair, and a forest of TV aerials.

Although the huts look like stone-age survivals outside, inside they are clean and well furnished with whitewashed walls and wooden beams across the ceilings. The image of a stockbroker’s cottage in Kent, right down to the electric spin drier and the 20-inch screen.

There’s a price war in petrol on in the West. It’s cheap enough for a start, but now in some places it is down to 24.9 cents a gallon—call it two bob.

The word for all white Americans here, whatever the nationality, is “Anglos.”

It has been used since the first pioneers to distinguish American settlers from their Spanish predecessors.

The land-hungry whites pushed the local Indian tribes, the Navahoes and the Apaches, back and back, away from their original land.

Finally, they found the scrubbiest, most remote, infertile spots they could discover, and handed them over to them as “reservations.”

It just happens that it is on this type of land that the 20th century has discovered both uranium and oil deposits.

The craze is dead, long live the craze. A storekeeper in Albuquerque offers a free hula hoop with every whirley whirler bought by his customers. The whirley whirler: A plate on a stick.

Another ill wind—one that blew much too good—blustered across Dallas as I left it.

The Dallas Heart Association sent up 22,069 bright red balloons with appeals for funds attached, with free tickets to a Dallas symphony concert aboard 150 of them.

Gale force winds wafted the balloons off toward Mexico border. Not one landed in Dallas.

RATON MACK URIOSTE

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 postmaster of Raton, and was loved by its patrons.

I ask unanimous consent that an editorial published in the Raton Daily Range, entitled “The P.M. Is Gone,” be printed in the RECORD at 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.

But 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 had devoted nearly a quarter of a century to public service.

Few men in their lifetime, however long, have the opportunity to acquire the acquaintances 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 family in Raton. Truly, his was a life of service to the people among whom he lived.

Serving his fellow man in his official capacities was not enough. He was among the first to have the vision of a new church for St. Joseph’s parish but for Mack the vision was only the beginning. Working day and night in cooperation with Father Salas to whom he bid goodbye only a few days ago, Mack never slackened his efforts until the dedication of the beautiful new building was an accomplished fact. Even in his passing he is urging his friends and neighbors to help complete the financing that still remains to be done. Mack would want it no other way.

Long before the church project, Mack became one of the founders of the Raton Credit Union. Not a widely publicized organization, it has nevertheless provided financial help in times of need for hundreds of Ratonians.

An intimate friend of political leaders in high places, Mack was always willing and anxious to do anything he could that might benefit the community in which he lived. A quarter of a century ago he organized the Young Democrats of Colfax County. Often he traveled far and wide in the interest of better roads, new industries and payrolls for the area.

To his family, as well as the community, he leaves a rich heritage of public service that 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 to Gladstone, why Mrs. Jones was getting poor service in Albuquerque, why we kept getting 5c-due address-change notices on the same subscriber.

Mack leaves memories of some pretty hot arguments down through the years. But much more clear are the memories of the way the hatchet was buried an hour later over a cup of coffee and his always good-humored acceptance of our gripes.

Yes, for us, every bit as much as for those who have known him a lifetime, it is going to be hard to realize that “the P.M.,” as we affectionately called him, is gone.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, communicated to the Senate the intelligence of the death of

Hon. DANIEL A. REED, late a Representative from the State of New York, and transmitted the resolutions of the House thereon.

LABOR LEGISLATION

Mr. GOLDWATER. Mr. President, in this morning's Washington Post and Times Herald there appeared an article which would indicate that the Republican members of the Subcommittee on Labor of the full Committee on Labor and Public Welfare were in full accord with the so-called labor reform bill entitled 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 had proceeded as far as it could go with the bill before it, and that the entire committee should be asked to work on the controversial amendments. The Republicans agreed that, because of the controversial amendments proposed, it would be to the interest of the entire committee to consider them, and that it would be better to have the details ironed out at that level. In fact, the Senator from Oregon [Mr. MORSE], who made the motion to send the bill to the full committee, stated we should permit the full committee to consider amendments which certain members feel are necessary in reporting the bill to the Senate.

I wanted to make this comment at this time because I am sure the press misinterpreted the remarks of the Senator from Massachusetts [Mr. KENNEDY], yesterday when members of the press inferred that the committee was unanimous in its observations that the measure was a good bill.

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 concur in 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 P. Schmidt, one of the three court-appointed monitors named to clean up the Teamsters Union, made his statement in a letter to the Senator from Massachusetts [Mr. KENNEDY] sponsor of Senate bill 505, and chairman of the Subcommittee on Labor. Schmidt, a professor of constitutional law at Fordham University, had previously testified before the subcommittee concerning the labor reform measure.

Schmidt said:

One of the most rampant abuses of power in the labor movement consists in the practice of visiting reprisals upon union members and officers who dare to exercise free speech in opposition to the wishes or programs of powerful labor leaders. The Wagner Act long ago forbade reprisals by employers against workers who indulged in concerted activities.

The point is that a new unfair labor practice of labor leaders should be defined for the purpose of guaranteeing workers free speech and a bill of rights and freedom from reprisals when their views collide with those of their leaders.

Schmidt's statement continued:

Your bill would, I think, be unacceptable and inefficient precisely because it fails to take care of this most important abuse.

Schmidt asserted that his talks with workers convinced him that "no labor reform can be effectuated unless recognition and organizational picketing is banned. Your (KENNEDY'S) prohibition of blackmail picketing is completely inadequate."

Since the irresponsible power of labor leaders needs curbing, Schmidt said: "Secondary boycotts, which is a source of this power must be limited."

He continued:

I think the administration bill's provisions in this respect should be incorporated in your bill. * * * I am not impressed by the argument that corrupt practices should be remedied by one bill and labor relations by another. * * * What you must strike at is the source of untrammelled power exercised by labor leaders. You must submit that power to reasonable and civilized regulation.

Schmidt declared:

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 inefficacious for the purpose I have in mind because their measure of proof is proof beyond a reasonable doubt.

Schmidt further said:

You asked me why the Teamsters membership have not risen up to oust the criminals from their union and to purge it of corrupt practices. Any rank and file member can give you the answer. He is afraid to protest. He is afraid to stand up and say what is on his mind in a union hall.

If he does, he incurs the peril of personal violence, of threats, and of a whole series of pressures ranging from frankly brutal to hypocritical subtle.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from Mr. Schmidt 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 Subcommittee on Labor of the Senate Committee on Labor and Public Welfare on January 29, 1959, you asked me to submit, in writing, my views on 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 occasion to thank you for the courtesies extended to me by yourself and your subcommittee and for the honor you did me in asking me to testify.

1. Perhaps the major evil 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 unionists, nor even to unions, but to union leaders. No honest man would want the dictatorial power presently exercised by many labor leaders. Nothing in this letter constitutes an effort to repress the legitimate aspirations of trade unionists and trade union leaders. What needs regulation is the lust for power of union leaders which (as the revelations of the McClellan committee demonstrate) has not been moderated by the consciences of the leaders involved. I have not been able to discern ethical or religious restraints in the conduct and frequent practices of the leaders who make legislation now necessary and urgent. In this connection, I am not interested in knowing whether the number of these leaders is large or small. I am sure that relative to our population, the number of murderers is small. That, however, is no argument against having laws against murder. The lust for power of which I write oppresses workers, employers, and the public. It has grown gross and uncivilized because of the special immunities yielded to or usurped by the leaders themselves.

2. One of the most rampant abuses of power in the labor movement, consists in the practice of visiting reprisals upon union members and officials who dare to exercise free speech in opposition to the wishes of the programs of powerful labor leaders. The Wagner Act long ago forbade reprisals by employers against workers who indulged in concerted activities. The measure of proof in such cases is a fair preponderance of the evidence. The labor boards have, with great solicitude, pursued employers who make use of reprisals against workers. The law should forbid the much more ruthless and extensive reprisals by labor leaders against the rank-and-file members and officers. The boards should use the same meticulous solicitude to prevent this type tyranny (which is breeding a dangerous servility in rank-and-file members) as it has used to punish employer tyranny. It is no answer to say (as I think Professor Cox said) that we have criminal laws on our books to prevent and to punish threats and coercion. Such laws are usually inefficacious for the purpose I have in mind; because their measure of proof is proof beyond a reasonable doubt. Threats and coercion have become so commonplace and widespread in the union movement as to suggest Fascist oppression and a faceless way of life for the rank and file worker. You asked me why the Teamsters membership have not risen up to oust the criminals from their union and to purge it of corrupt practices. Any rank and file member (who will talk frankly and courageously and who has not been brainwashed by the ceaseless union leader propaganda) can give you the answer. He is afraid to protest. He is afraid to stand up and say what is on his mind in a union hall. If he does, he incurs the peril of personal violence, of threats, and of a whole series of pressures ranging from frankly brutal to hypocritically subtle. He has been given no indication by Congress, the courts, and the law enforcement agencies that he has much of a chance to come off successfully if he enters the unequalled struggle against labor leaders. The latter have unlimited expense accounts, large union treasuries which they use as their own facilities, competent and often devious lawyers, paid

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 unprotected from the union boss who is often feared more than any company boss. He must depend upon free legal advice given sporadically, or he must pay his own legal bills. The point is that a new unfair labor practice of labor leaders should be defined for the purpose of guaranteeing workers free 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 unacceptable and inefficient precisely because it fails to take care of this most important abuse.

3. From my conversations with rank and file workers, I am persuaded that they are as convinced as I am that no labor reform can be effectuated unless recognition and organizational picketing is banned. Your prohibition of blackmail 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, your language makes enforcement all but impossible. I see no reason why the coercive thrust of the picket line should be permitted to be used to prevent free choice of bargaining agents, which is supposed to be central to the labor relations policy of this country. 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 bad working conditions. So am I. But such situations are far more rare, in my opinion, than the situation with which I am concerned, namely: the repeated instances of back-door agreements between corrupt or dictatorial labor leaders and employers, both of whom turn their backs on 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.

4. 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 series of Board and court decisions.) I think the administration bill's provisions in this respect should be incorporated in your bill. With growing impertinence, labor leaders dragoon neutrals into participation in their labor disputes. We need the rational limitation which the administration bill provides. I am not impressed by the argument that corrupt practices should be remedied by one bill and labor relations by another bill. What you must strike at is the source of untrammelled power exercised by labor leaders. You must submit that power to reasonable and civilized regulation. Most of the corrupt practices revealed by the McClellan committee have been made possible, against the wishes of the decent rank and file majority, precisely because union leaders have held at the head of the worker several cocked guns: (a) compulsory unionism without any effective intraunion bill of rights; (b) organizational and recognition picketing; and (c) the secondary boycott bloated to the unconscionable grab for power now permitted by the Board and the courts.

5. Your provisions on disclosure are laudable and necessary but not sufficient. Obviously, you want truthful information. Truthful information will always, or even generally, be supplied by labor leaders who are corrupt. Your disclosure provisions should be implemented with the power of searching investigation vested in some appropriate administrative agency. The rank-and-file worker should have the right to

make his complaints to this agency and to the courts. This agency should have the duty to make checks and investigations where reports submitted to it suggest the need for such facts and investigation.

6. It is not enough to require submission to the Secretary of Labor of the constitutions and bylaws. Some of the constitutions and bylaws which are in effect today contain provisions which are a disgrace to industrial democracy and to those fundamental freedoms which are part of our Bill of Rights. Some unions' bylaws and constitutions, in effect, strip the worker of free speech and other rights and reduce them to the status of second-class citizens. You ought to provide certain minimum standards for mandatory inclusion in union bylaws and constitutions—standards guaranteeing: (a) Due process and fair hearings and trials; (b) free speech and a full bill of rights; (c) fair elections; (d) honest handling of union funds; (e) uniform accounting procedures; and (f) fair conduct of union meetings pursuant to established standards of parliamentary procedure. Also, I think there should be included a rule requiring (by secret balloting) the election rather than appointment of union stewards; and the posting of proper bonds of union officers who handle funds.

7. I am unalterably opposed to subdivision (d), section 101, page 7, of your bill. This would make possible the continued depredations of "paper" locals. Perhaps you might want to moderate, in connection with small unions, some of the details in reporting requirements, but on essentials, all unions should be covered.

8. Since the conflicts of interest listed in the first six paragraphs of section 102 do not cover the whole area of potential conflict and interest, you ought to add a seventh, in blanket form, to supply what is not covered in the previous six provisions.

9. In subdivision (c), page 10 of your bill, line 16 ought to read, "or minor child holds, or has held, an interest," and so forth.

10. On page 11, line 8, I think the adverb "solely" ought to be omitted.

11. On page 12, subdivision (b), line 15ff, I am unable to determine with clarity whether you intended to include lawyers. Your bill is ambiguous in this respect. I would be opposed to any requirements of disclosure which mandate breach of the rule of confidential communication between attorney and client.

12. On page 13, line 3, I think the word "solely" should be omitted.

13. On page 19, subdivision C, line 3, after the word "destroys," I think you ought to add the words, "changes or mutilates."

14. On page 20, lines 8 to 16, I think it ought to appear clearly that the court can preserve the status quo ante in a proper case. As your bill is worded, this might be impossible. Generally speaking, I am in favor of restoring to the courts their traditional equity jurisdiction. I think the anti-injunction acts have been an improper encroachment upon equity jurisdiction. Merely to decide that a labor dispute is involved and that, therefore, the court is powerless to go into the merits of the case is hardly the administration of justice.

15. As to section 110, pages 20-21, some provision ought to be included to prevent the unions' dues and assets from being used to pay fines imposed on labor "leaders."

16. On page 27, line 10, the trustee involved should also have to sign the report and the report should be distributed to the members of the trustee local.

17. Your bill generally fails to provide standards for dissolutions and mergers of unions. Since mergers and dissolutions are used by "leaders" as instruments for perpetuation of their own power, they need special attention.

18. On page 29, section 204, the workers should have the right to go to the courts

if the Secretary does not find "probable cause."

19. On page 33, line 1, membership in "good standing" should either be defined by reference to certain elementary standards or there should be a requirement that the union's constitution should define clearly the meaning of "good standing." As I indicated above, standards of fair elections should be included in the statutes. It is not enough merely to require that the elections be conducted in accordance with the constitution and bylaws.

20. On page 33, line 23ff, it is not enough to forbid union moneys from being used to promote the candidacy of any person. Union facilities, too, should be forbidden; or they should be granted on a basis of equality to all candidates.

21. On page 37, section 305, the list of misdeeds should be expanded to include 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,

GODFREY P. 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 Example of Michigan's Trouble," published in the Hartford Courant of February 17, 1959.

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

(See exhibit 1.)

Mr. BUSH. Mr. President, the editorial shows that the difficulties of the State of Michigan are not confined to that State alone, but, rather, appear to 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 payrolls. 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 in the future. Banks had already shut off payments on anticipation when Governor Williams' appeal was made.

This is a notable example, 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 hold the line on Government spending. What has happened in Michigan is an extreme case. But it is only a few degrees worse than the critical situation that exists in countless cities, towns, and States.

There may be a favored few, but it is fair to say that budgetary trouble assails practically every government unit in the country. A good portion of the taxable assets of the community is siphoned off by the Federal Government. Governor Leroy Collins of Florida pointed out at the last congress of States, that of the \$1.9 billion paid in taxes in his State \$1.2 billion went to the Federal Government.

In the past 10 years the national debt has jumped \$12 billion. Yet in the same period, due to their inability to widen their taxable sources, the local governments have run up a debt increase of \$32 billion, three times the national debt increase. State and local debt now stands at more than \$50 billion, greater than the National Government's debt in any year prior to 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 an editorial entitled "Fool'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 export business 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:

FOOL'S GOLD

That inflation is not just an idle threat invented by pennypinchers 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. Partly as a result, the 1959 outflow of gold and dollars to foreigners will probably run about \$3 billion, a high figure not much below last year's.

Such figures in themselves are not considered to be necessarily a cause for immediate alarm. What they may portend, rather, are the possibilities that American firms could price themselves out of world markets and that there could be a deepening international distrust of the U.S. dollar.

And the key element in these unpleasant possibilities would be the continuation of inflation-generating Federal deficits. As one banker put it: "If we should fail to contain inflation, our domestic costs and prices would rise faster than those in the rest of the world. If that should happen, many U.S. exports would be quickly priced out of world markets." Interestingly enough, some of our allies have been making notable efforts to restrain inflation.

Now it is often argued that factors other than deficits account for rising costs and prices—particularly the continual wage increases enforced by unions. Certainly that adds to costs and prices, but wage increases that are unjustified by economic performance usually reflect rather than cause an inflationary 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.

So it's no use pretending that we can forever run deficits without getting into trouble. The gold outflow is one more timely warning that inflation is fool's gold—not something for sensible nations to fool with.

THOMAS 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 issued by Edward N. Gadsby, Chairman of the Securities and Exchange Commission, concerning Mr. Thomas G. Meeker, General Counsel of the Commission, who is 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.

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

SECURITIES AND EXCHANGE COMMISSION, Washington, D.C., February 17, 1959.

Chairman Edward N. Gadsby, of the Securities and Exchange Commission, today issued the following statement concerning Thomas G. Meeker, General Counsel of the Commission, the recipient of one of 10 Arthur S. Flemming awards sponsored by the Junior Chamber of Commerce of Washington, D.C.:

"The members and staff of the Commission join me in congratulating Thomas G. Meeker on his selection by the Arthur S. Flemming Awards Commission of 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 Carrol C. Hincks in New Haven and J. Joseph Smith in Hartford. From 1949 to 1954, Mr. Meeker was associated with the law firm of Gumbart, Corbin, Tyler & Cooper in New Haven, Conn.

"Appointed to the Commission's staff as Assistant General Counsel in May 1954, Mr. Meeker was named Associate General Counsel in June 1955. During the period June 20 to November 28, 1955, he also served as Acting Executive Director. He was appointed to his present position as General Counsel of the Commission in January 31, 1956.

"A member of the Federal and State bars in Connecticut, the United States courts of appeals for several circuits, and the United States Supreme Court, he has been active in the American Bar Association, the Federal Bar Association, the State Bar Association of Connecticut, and the New Haven County Bar Association and is now serving as secretary to the Judicial Council of Connecticut. From 1942 to 1946 Mr. Meeker was on active duty with the U.S. Marine Corps and is now a major in the Marine Corps Reserve.

"Mr. Meeker has brought to the public service an unusually high order of legal ability and a sound approach to highly technical and difficult problems in the very sensitive and complex field of securities and finance. In his capacity as General Counsel he has responsibility for the Commission's litigation in the courts; for coordinating the legal policies of the Commission; and for advising the Commission and the staff on a wide variety of problems. Mr. Meeker, both as a lawyer and administrator, has made many extremely significant contributions to

the administration and enforcement of the Federal securities laws.

"The winners were chosen by a panel of distinguished judges from among 53 nominations by 23 Federal departments and agencies. The awards will be presented at a luncheon on Thursday, February 19, at the Statler Hotel, Washington, D.C. Mr. Meeker may be justifiably proud of his award and we extend to him our sincerest appreciation for his years of outstanding and devoted public service in the interest of investor protection."

EFFECTS OF FEDERAL BUDGET ON LIFE INSURANCE BUSINESS

Mr. SALTONSTALL. Mr. President, on January 6, 1959, the joint committee on economic policy of the Life Insurance Association of America issued a statement on the effects of the Federal budget on the life insurance business of the country. The statement emphasizes very strongly the need for a balanced budget and what such a balanced budget means to holders of life insurance policies in general. I ask unanimous consent that the statement be printed at this point in the RECORD.

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

STATEMENT ON THE FEDERAL BUDGET, BY THEIR JOINT COMMITTEE ON ECONOMIC POLICY¹

The life insurance business is greatly encouraged by President Eisenhower's announcement that the Federal budget to be presented to Congress this month for the next fiscal year will be a balanced one, with expenditures limited to receipts about \$77 billion.

The life insurance business has been concerned with the inflationary forces in our economy which have eroded the value of the dollar, as evidenced by a steady rise in the cost of living over the past years. At the very base of our country's monetary system is the financial soundness of the Federal Government's operations.

If this country is to take seriously the threat of inflation, with its devastating effects upon our economy and the welfare of its citizens, the President's action should enlist universal support.

A balanced budget means living within our means. It is a sound step necessary to avoid a further drop in the purchasing power of the dollar. To incur a Federal deficit in prosperous times would surely produce a further rise in the cost of living. Wise management of the financial affairs of the country requires that the Federal budget be balanced in a period of prosperity. It also dictates that a budget surplus and retirement of a portion of the huge Federal debt

¹ Chairman, O. Kelley Anderson, president, New England Mutual Life Insurance Co.; Claude L. Benner, president, Continental American Life Insurance Co.; H. W. Brower, president, Occidental Life Insurance Co. of California; Paul F. Clark, chairman of the board, John Hancock Mutual Life Insurance Co.; Louis W. Dawson, president, the Mutual Life Insurance Co., N.Y.; Frederic W. Ecker, president, Metropolitan Life Insurance Co.; Leland J. Kalmbach, president, Massachusetts Mutual Life Insurance Co.; R. B. Richardson, president, Western Life Insurance Co.; Carol M. Shanks, president, the Prudential Insurance Co. of America; Donald C. Slichter, president, the Northwestern Mutual Life Insurance Co.; Frazar 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. Since the low point in the short business recession reached last spring, 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 point up the wisdom of providing for 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. Under the business conditions which are developing our system of taxes should produce the required revenue to meet the estimated budget of \$77 billion. The key question is whether Federal expenditures can be held to that figure. The budget wisely provides for no stinting of national defense expenditures, which will be at a peacetime high. However, to hold within the \$77 billion limit the President calls for the ending of some temporary domestic programs and the holding 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 Federal deficit which developed this 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 is the prime 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 the assistance of an equally determined fiscal policy if the fight against inflation is to be won. Moreover, the difficult problems of managing the Federal debt can only be solved in the public interest if the Government lives within its means.

For all these reasons, the life insurance business strongly advocates that every effort be expended to bring the budget into balance. Holding down Federal expenditures will not be an easy task. We urge the support of all our citizens in this vital endeavor.

SENATOR GREEN, OF RHODE ISLAND, CHAIRMAN EMERITUS OF THE COMMITTEE ON FOREIGN RELATIONS

Mr. PASTORE. Mr. President, I believe the entire Senate will be interested in the action of the Committee on Foreign Relations on last Tuesday, when it unanimously adopted a resolution, submitted by the Senator from Arkansas [Mr. FULBRIGHT] thanking the former chairman, Senator GREEN, for his devoted service to the committee. The full text of the resolution is as follows:

Whereas Senator THEODORE FRANCIS GREEN, of Rhode Island, has been a member of the Committee on Foreign Relations from 1937 to 1947 and from 1949 to date and served as chairman from January 1957 to February 1959; and

Whereas Senator GREEN has served the people of this Nation by his initiative and hard work in obtaining approval by the Senate of such important foreign policy measures

as the Middle East resolution, the Mutual Security Acts, the statute of the International Atomic Energy Agency, and numerous other measures and treaties important to the peace and security of the United States; and

Whereas in the discharge of his duties, Senator GREEN has at every opportunity encouraged the development of a foreign policy rooted in the national interest, has always devoted his full energy and ability to the services of his Nation, and has brought about closer relations between the legislative and executive branches of this Government and otherwise improved the operations of the Committee on Foreign Relations; and

Whereas Senator GREEN has asked to be relieved as chairman of the Committee on Foreign Relations: Therefore be it

Resolved, That the Committee on Foreign Relations expresses its warm affection for Senator GREEN and its deep appreciation for his devotion to duty and for the great service which he has rendered to the committee, to the Senate, and to the United States by his initiative and statesmanship; and be it further

Resolved, That the Committee on Foreign Relations, in order to continue to benefit by utilizing to the greatest extent possible the experience and knowledge of Senator GREEN, designate him as chairman emeritus of the Committee on Foreign Relations.

I hope that my colleague, the senior Senator from Rhode Island [Mr. GREEN], will enjoy many years of further distinguished service 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 addressed the Chair. The Senator from South Dakota [Mr. CASE] and the Senator from Vermont [Mr. PROUTY] 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.

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 made no progress.

The program of Senate bill 946 would retire from production land equal to the amount of grain put into the channels of trade or of use. It would put the farmer back on his feet, and in charge of his own farm; and it would free the taxpayer both from a part of the cost of the

soil-bank program and from the cost of storing surpluses.

Mr. President, would farmers accept such a program? The response which farmers in many areas of the country have made to this proposal indicates that they most certainly would accept the program.

I have before me several letters on this subject. One is from Tampico, Ill., and is written by a farmer who says he has been saying for the last 3 years that this is the only kind of program that will work.

Another letter which I have received comes from Vermillion, S. Dak., and was written by a farmer who says he has been raising 500 to 600 hogs a year, but that he would be glad to put his entire farm into the soil bank, under this proposal.

I have also received letters from Centerville and Hecla, S. Dak., and from other points. I ask unanimous consent that the letters be printed at this point in the RECORD.

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

VERMILLION, S. DAK.

DEAR SENATOR CASE: I wish to congratulate you on a very constructive proposal of offering surplus grains, instead of cash, as payment for acres retired in the soil bank—plus a 10 percent bonus.

I farm 480 acres of level land near Vermillion and raise 500 to 600 hogs per year.

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.

GEORGE BALLARD.

TAMPICO, ILL.

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 doing so.

Very truly yours,

K. O. SATTERFIELD.

HECLA, S. DAK.

DEAR SENATOR CASE: I note your proposal that surplus grains be offered to the 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 merits over the old soil bank. It would start to move out some of the 1953 and 1954 wheat and corn now stored in CCC binsites.

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 our new crop. It surely would save the Government buying more new bins.

With kind regards,

O. J. BENGTSOON.

CENTER POINT, IND.

DEAR SENATOR CASE: I wish to congratulate you on your proposal to cut farm surpluses. I have heard and talked to several persons the past couple of years that feel the same way you do about it.

So far as I have heard you are the only Senator or Congressman that could see through such a program. 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 \$1½ million that is spent each day for grain storage, the \$1½ million that is spent on interest each day on the grain stored, \$1½ billion 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.

CENTERVILLE, 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.

Our land around here is too high-priced to take \$17 an acre for 5 years with taxes alone taking \$2 an acre a year.

With expenses at an alltime high I feel that something such as this would be a great thing for us and the taxpayer wouldn't howl that the farm program was too costly. The Government already owns the grain from former years and there would be no need of any more cash outlay.

If the farmer was given the right to join such a program on a 1-year-at-a-time basis, I am sure there would be many who would do it.

I do feel that it should be required that the farmer put in all the land that he would be planting to a soil-depleting 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 line.

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.

Hope 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 of America took action which made my beloved State of Vermont the 14th member State of this abiding Union.

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 Vermonters have traditionally taken notice of this date because they had worked hard to achieve it.

In the face of the opposition of its neighboring States—New York, 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.

Vermonters are justly proud of the constitution adopted by the Windsor Convention in July of 1777. It provided the first express constitutional prohibition of any form of human slavery in all

history. It made Vermont the first State in the country to provide for universal manhood suffrage without regard to property holdings—a very unique and liberal provision for those days.

From the very outbreak of the American Revolution, the people of Vermont contributed greatly to its successful conclusion.

Less than a month after Lexington and Concord, Ethan Allen and 83 of the Green Mountain boys crossed Lake Champlain, and captured from the British Fort Ticonderoga, at that time the largest and most impregnable fortification in the country.

It has never been disproved that Allen demanded the fort's surrender "in the name of the Great Jehovah and the Continental Congress," in spite of the fact, as a later critic stated, "that he held a commission from neither source."

The capture of Ticonderoga on May 10, 1775, followed 2 days later by the taking of the fort at Crown Point by Seth Warner and his men, deprived the British of an important northern base, and supplied General Washington with nearly 150 cannon which helped drive the British from Boston the next winter. Even more important than the military results of these victories was the thrill of pride and encouragement which swept through all the colonies at the news, and helped to unify them in the struggle for independence.

It is not surprising, therefore, that the two Commissioners from Vermont who presented to Congress their State's case for admission should have called attention to the contributions of the Vermonters. They told Congress:

The citizens of that State, having shared in common with those of the other States, in the hazards and burthens of establishing the American Revolution, have long anxiously desired to be united with them, under the same general government. They have seen with great satisfaction a new and more perfect union of the people of America, and the unanimity with which they have recently approved the national Constitution manifests their attachment to it, and the zeal with which they desire to participate in its benefits.

"Questions of interfering jurisdiction between them and the State of New York," they told the Congress, "have heretofore delayed this application. These points being now happily adjusted, the memorialists on behalf of their constituents, most respectfully petition that the Congress will consent to the admission of the State of Vermont, by that name and style, as a new and entire member of the United States."

The petition was granted. Vermont was admitted to the Union—the first new State after the original thirteen. As a Senator from that truly unique and historic State, I am happy to conclude that both Vermont and the United States have ever since been better for that action by the First Congress.

THE WILDERNESS BILL AND THE TIMBER AND LUMBER INTERESTS

Mr. MURRAY. Mr. President, such a furor of opposition to the wilderness bill has come from the timber and lumber interests that I requested my staff to investigate the timber supply situa-

tion and the effect of the bill on that industry.

Some witnesses before the Interior and Insular Affairs Committee have indicated that passage of the bill would destroy the industry. The more reasonable have contended that it would stop the growth of the lumber business.

The facts do not substantiate either of these claims. On the contrary, the industry depending on national forest areas will have to grow 50 percent if it is to use up all the allowable cut now available in the forests outside the proposed wilderness areas.

There are 14 States in which wilderness areas would be designated in the forests. There are 145 million acres of forest in the States; and only 9.6 percent of this, or less than 14 million acres, would go into wilderness.

The present allowable cut each year in 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.

I have before me a table showing by States the allowable cut, the actual cut, and the percentages. I ask unanimous consent that it appear in the RECORD at this point in my remarks.

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

	Allowable cut, million board-feet	Timber cut fiscal year 1958, million board-feet	Percent allowable actually cut
Arizona.....	240	174.0	72
California.....	1,362	947.0	70
Colorado.....	220	125.0	57
Idaho.....	880	513.0	58
Montana.....	825	395.0	48
Minnesota.....	224	133.0	59
Nevada.....	4	2	5
New Mexico.....	131	62.0	47
North Carolina.....	41	47.0	115
Oregon.....	2,290	1,740.0	76
Utah.....	101	48.0	48
Washington.....	1,413	945.0	67
Wyoming.....	179	71.0	40
Total.....	7,910	5,200.0	66

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 of 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 splendid 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

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.

For 25 years, I have fought 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, for my interest in their prosperity and growth is not diminished in any way.

My decision to support the wilderness bill is not a difficult one to make, for the facts show that it is a good measure, and that its enactment will not actually injure those who are expressing the greatest fear of it.

Mr. President—

The PRESIDING OFFICER. The Senator from Montana.

THE MINING INDUSTRY AND THE PROGRAM OF THE DEPARTMENT OF THE INTERIOR

Mr. MURRAY. Mr. President, yesterday the Secretary of the Interior appeared before the House Committee on Interior and Insular Affairs, in response to an invitation from that committee. His statement outlined in some detail the program of the Department of the Interior, for this session of the Congress, on matters within the jurisdiction of the House committee and, by the same token, within the jurisdiction of the like committee of the Senate, which I have the honor to head.

I have read, with great interest, the statement of the Secretary. I have been advised of the supplementary information which the Secretary furnished the committee. I must commend his honesty and frankness in dealing with the questions propounded by the committee members. However, I am grievously disappointed by the failure of the Secretary to propose positive programs for the many problems confronting the people and industries coming within the jurisdiction of the Department of the Interior and the Senate Committee on Interior and Insular Affairs.

Consider, however, the feelings of the thousands of unemployed miners in our country, who had looked to the Department of the Interior for help, after the assertion last week by the Under Secretary of the Interior that his Department was "the agency of the Federal Government with primary responsibility in the mineral resources field"; and then imagine, if you can, their despair upon learning that the Secretary of the Interior yesterday advised the committee that he and the administration had no minerals legislation to propose to this Congress.

Mr. President, I find, though not surprisingly so, a marked resemblance between the statements of the Under Secretary at Denver, on February 6, and those of the Secretary of the Interior here, on the 18th, to the effect that the urgency of a balanced budget precludes any assistance for the mining industry. I concur fully in the reply that my colleague, the distinguished Senator from

Utah [Mr. Moss], gave on February 7 in Denver to that statement.

However, I should like to point to one further statement made by the Under Secretary at Denver on February 6; I refer to his suggestion of protecting the domestic mining industry from further injury from imports.

Mr. President, that is like locking the door after the horse has been stolen. As pointed out yesterday by the distinguished Representative from Oklahoma, the Honorable Ed EDMONDSON, imports of lead, zinc, and oil have almost destroyed that segment of the domestic mining industry; and administration efforts to remedy this have proved ineffectual. For the minor minerals-producing industry, for the most part now closed, Representative ULLMAN, of Washington, was advised by the Secretary of the Interior that no administration program of assistance is contemplated.

Mr. President, I cannot subscribe to the policies of this administration which deny to our mining industry the right to a healthy economic life. Consequently, I have already directed the staff of 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 study, without having 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 sufficiently 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. Less than 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 suffered the loss of his valuable collection of central Montana souvenirs and photographs. Fortunately, no one was injured in the fire.

Mr. President, Joe Montgomery is as calm and intrepid 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.

There 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 quite 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 senses 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 in towels, to make sure they wouldn't break, and packed them with my collection of more than 20 plaid caps and some other things, including a bottle of toilet water, which just fit in the leftover space.

For the first time in all the fires that have got me out of bed I forgot to put on a tie and 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, I 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 smashed a hole in the door and reached in 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 a big hole in the window, and then 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 our 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

a distinguished nationally known economist before he was elected to this body. His stature has been enhanced throughout the Nation by his service on the joint committee.

I ask unanimous consent to have this editorial printed in the body of the RECORD as evidence of the fact that the people of America will have far more confidence in the findings of an investigation chaired by Senator DOUGLAS than in the findings of an investigation by a commission handpicked by the Republican administration which invariably advocates policies of Wall Street bankers and industrialists.

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

ONE FOR THE DEMOCRATS

Senator LYNDON JOHNSON was wise indeed to recognize that he could not allow the Nixon Committee set up by President Eisenhower to have the field of economic investigation all to itself. Not only would it serve the Nation poorly to leave the exploration of vital questions in this area entirely to an administration whose leadership is already committed to one set of answers, it also would leave the Democrats woefully exposed on a major political battleground.

Senator PAUL DOUGLAS, Chairman of the Joint Economic Committee, is both professionally and politically qualified to lead an inquiry by the Democratic Congress. A distinguished economist in his own right, Senator DOUGLAS also is astute enough to understand that his mandate from Mr. JOHNSON is no narrow political assignment. He may be expected to conduct a broad study of the interrelationship of employment, economic growth and monetary stability—to determine, as nearly as it can be determined, to what extent the three can be reconciled in public policy.

And, happily, Senator-Economist DOUGLAS being the colorful and sensitive man he is, this exercise in the dismal science is unlikely to be a dull one. We look forward with relish to the first real exploration of these issues on a broad front undertaken by the Congress in recent years.

FINANCING OF HOMES

Mr. DIRKSEN. Mr. President, Sylvia Porter, who writes a column which is published in a number of newspapers, is certainly a competent financial writer. In last Sunday's Star there appeared an article by her entitled "Who Buys the Houses?" which refers to facts made available by efforts of the United States Savings and Loan League. The article is very interesting and timely. It indicates that 3 out of every 4 mortgages in the country are financed, not by a Federal agency such as the FHA or the VA, but, in fact, by conventional mortgages.

I ask unanimous consent that the column be printed in the RECORD as a part of my remarks.

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

[From the Washington Sunday Star,
Feb. 8, 1959]

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.

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 last year were 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 \$7,300.

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 32 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 world of home mortgages is like a family of three children where one does the bulk of the work and the other two get the bulk of the attention."

Because the Federal Housing Administration and Veterans' Administration are constantly involved in politics, many 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 that borrowers using conventional mortgages 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 \$5,682—below the \$5,844 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 houses 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 9.5 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 buying homes 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 its views in this study. But a basic force behind the research surely was its belief that the conventional mortgage market can be expanded and strengthened. It can and should be.

INTEREST RATES ON GOVERNMENT BONDS

Mr. DIRKSEN. Mr. President, this morning the Wall Street Journal, which is certainly a carefully edited paper, carries this headline on page 3: "Treasury Soon May Seek Boost in Bonds' 4½ Percent Interest Rate Ceiling if Rate Rise Continues, Eisenhower Says."

I notice the paper has published also, on page 16 of the same edition, the full transcript of the President's press conference. 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:

Does the administration have any plans to ask Congress to increase the 4½ 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 we run into difficulties, 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 say, "All right, this money is going to earn 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 4½ we have always been able to do that. The reason your question is now pertinent is because the rate is getting close enough to make it look that you would have to sell bonds at a discount.

Now, the funny thing, they tell me under the law that you could offer a 4½ 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 may "soon seek boost in bonds' 4½ percent interest," he is a better scrutinizer of the English language than I.

I can only add to what I have said that I had a meeting with the Secretary of the Treasury yesterday. I know nothing is further from the thoughts of the Secretary of the Treasury than to boost the interest rates.

As I have indicated, the Wall Street Journal is a very well edited and careful newspaper, but I believe the correction I have suggested should be made.

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 parenthetically 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:

Mutual Security, 26 percent. Office of Civil and Defense Mobilization, 80 percent. U.S. Information Agency, 6 per-

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 Bureau of the Budget has already reduced its personnel by 1.4 percent. It calls upon other agencies to reduce their personnel by 2 percent. I think the Budget Bureau is going to achieve that objective. But one has to have the whole story to pass on this question.

In 1938 the Budget Bureau had 45 persons. In 1947 it had 585. In 1959 it had 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 want to submit my facts before the day is over.

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

Mr. DIRKSEN subsequently said: 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 basic reason for such a request. Consider mutual security. The majority leader stated this was a 26-percent increase. On a fiscal year basis it would appear to be a 12-percent increase, which includes \$85 million 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 Communist 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 local subdivisions 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 1959 contributions for civil defense 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 embraces \$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 those functions to OCDM.

With reference to the U.S. Information Agency, where it is indicated that the 1960 budget calls for a 6-percent increase, the answer is that 4 million of the \$7.6 million increase is the result of higher prices in foreign countries and 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-per-

cent 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 Wildlife Service. Part of it is also for additional capital for the Fisheries Loan Fund. In addition to these ideas, the Alaska Statehood Act, approved by Congress, provides for payment to the State 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 in 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 \$58 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 \$10.7 million. Of this amount, \$1½ 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 \$6 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 permanent employment in the Budget Bureau for 1959 and 1960 is estimated at 425 positions, and this is 160 fewer than in 1947 and, in fact, lower than any time in the last 16 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 that there have been no arbitrary budget increases 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, the senior 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 trademarked goods that are in competition. It would permit manufacturers of identified merchandise to establish and enforce on a national scale minimum resale prices on such merchandise by giving actual notice of the established prices to wholesalers and retailers.

Competition is assured, under this bill, not eliminated, for this reason: 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 class produced by others.

This bill does not discriminate against manufacturers who also function as wholesalers or retailers. Such a manufacturer may establish resale prices on his 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 a manufacturer to establish resale prices on his identified products. In this regard, the proposed legislation is strictly permissive, completely voluntary, and 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 price he receives for his milk or 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 their larger and more powerful competitors.

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, corporate state. His birth must be encouraged 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.

There being no objection, 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

Senator PROXMIRE. Thank you very much. It is a great pleasure and privilege to have an opportunity to appear before you. I have copies of my statement which I will distribute.

In my judgment the measure which I am supporting this morning before your committee constitutes 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 and indeed to the existence of small business as we know it in America today.

Mr. Chairman, American small business is in 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 the retail store has the poorest survival prospect of any business. This was strikingly demonstrated by figures presented to the Small Business Committee hearings on discount houses on June 23 by Mr. Victor LeBow, a New York City marketing consultant who specializes in the problems of retail businesses. Mr. LeBow stated that there are 1,900,000 retailers today. What are the prospects for a new retail business? Based on 7 years of postwar prosperity, between 1947 and 1954—and mind you, these were prosperous years—a retail store opening today has only a 74-percent chance of surviving the first 6 months, and 50-50 chance of staying open the first 2½ years. Stated another way, 26 out of 100 retail stores opening today will be out of business in 6 months. Eighty-three of them will not be in business 10 years from now.

Based on the years 1953-57, Mr. LeBow said that a turnover of 50 new stores is necessary to get 1 net addition to the number of retail businesses in operation.

In view of the fact that the situation is getting worse, in view of the fact that all the statistics are just overwhelming that a prime victim of the recession is the small business and small retail business especially, I think it is time Congress did something about it.

The Select Committee on Small Business, the Banking and Currency Committee, the Small Business Administration, and other agencies and committees have been deeply concerned about the problems of small business. Some extremely constructive proposals have been made to the Congress. Mr. Chairman, while this legislation is good and helpful, it is good and helpful for a relatively small segment of small business. The vast majority of small businesses are totally untouched by any other measures that are before Congress today. This Congress has already taken important steps to help the manufacturing concern or small corporation in several ways. The Small Business Committee has scheduled a series of inquiries into the action of the Defense Department in failing to provide that small manufacturing businesses get their share of the procurement dollar. This is an excellent, worthy inquiry, and one I warmly support. An omnibus small-business tax bill now before Congress would help the incorporated small businesses very greatly. I cosponsored and warmly sup-

port that legislation. The Johnson capital-bank bill, which has passed the Senate, would do much to provide capital for small units in industry, and we do know that the measures that have been considered by the Banking and Currency Committee and the measures that have been considered by the Small Business Committee, the actions that have been taken by the Small Business Administration helps a small fraction, though a very significant fraction of small business—retail stores by and large—are just not provided for.

Just as an example, the capital bank bill, the purpose of which was to help small business, passed the Banking and Currency Committee, passed the U.S. Senate—it is a Johnson bill—it is now over in the House. This is an excellent measure. It is a measure that is essential to small manufacturing concerns, but there is nobody, not the greatest friend of this bill who would pretend that it is going to help very many retail stores. It just can't. It is not designed to do that.

There is no question that the tax legislation that has been recommended and the tax bill that is being considered now by the House has an excellent chance of passing the Congress this year. It will provide tax relief, and it is going to be very helpful to small corporate business and is going to be helpful to small business generally, but it is not going to do the retail store very much good, and it is not going to help in that direction.

Of all the areas of American business, the retail stores have been the most characteristically small business. The overwhelming majority of stores and shops all over America 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 wonderful family life that 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 character and morality. The energy-demanding work of the family store virtually eliminates juvenile delinquency. The qualities of thrift, industry, business sense, are developed and nurtured in the family atmosphere. The family store is an immensely valuable American institution. If any 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 and protecting the family store would be a strong one. But like the family farm, it is not inefficient. It is efficient. It has proven itself

repeatedly. It lacks one important survival asset in our competitive economy, however, and that is capital, just like the family farm lacks capital. This lack of capital means that the large competitor, the chainstore or massive supermarket, even if less efficient, can engage in price-cutting operations until the little business is driven out.

I have talked personally with literally thousands of merchants all over my State of Wisconsin. I am convinced that there is no group in America more fervently and 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 wants, that he needs and that he deserves. This is action by the Government 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 completely convinced that price competition will be encouraged if the legislation I am supporting this morning is adopted.

Testimony before our Small Business Committee was replete with evidence that minimum margins on fair traded products which this legislation would permit, would still permit an enormous amount of price competition both between trademarked brands 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 trading 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 Small Business Committee, 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 had fair prices.

I should like to offer for the record a table comparing the dealer's tank wagon price, the dealer margin, and the retail price (without tax) of gasoline in Newark, N.J.; Wilmington, Del.; Philadelphia, Pa.; and an average of 55 other cities. Newark is the only city represented on this 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 those cities. Moreover, the table clearly proves that the retail price in Newark is as flexible as it is in any of the other cities.

(The table is as follows:)

House brand gasoline prices by quarters

Date	Newark, N.J.			Philadelphia, Pa.			Wilmington, Del.			Baltimore, Md.			55 city average		
	Dealer's tank wagon	Dealer's margin	Retail service station, excluding tax	Dealer's tank wagon	Dealer's margin	Retail service station, excluding tax	Dealer's tank wagon	Dealer's margin	Retail service station, excluding tax	Dealer's tank wagon	Dealer's margin	Retail service station, excluding tax	Dealer's tank wagon	Dealer's margin	Service station price, excluding tax
1953—July 1	15.9	5.3	21.2	16.1	4.8	20.9	16.1	5.9	22.0	15.8	5.7	21.5	16.55	5.52	22.07
Oct. 1	15.9	5.8	21.7	16.1	4.8	20.9	16.1	5.9	22.0	15.8	5.6	21.4	16.54	5.47	22.01
1954—Jan. 1	14.4	5.5	19.9	15.6	6.3	21.9	15.6	6.4	22.0	15.3	6.3	21.5	16.35	5.62	21.97
Apr. 1	13.65	2.25	15.9	15.4	6.5	21.9	15.4	6.6	22.0	14.6	6.9	21.5	16.24	5.36	21.60
July 1	13.9	3.0	16.9	15.4	5.5	20.9	15.4	6.6	22.0	14.6	6.9	21.5	16.05	5.53	21.68
Oct. 1	13.9	3.0	16.9	15.3	4.3	19.9	15.7	6.8	22.5	15.4	6.4	21.8	16.20	5.12	21.32
1955—Jan. 1	14.9	2.0	16.9	14.9	5.0	19.9	15.7	6.8	22.5	15.4	6.3	21.7	15.91	5.35	21.26
Apr. 1	14.9	3.0	17.9	15.3	4.6	19.9	15.7	6.8	22.5	14.9	6.8	21.7	16.24	5.18	21.42
July 1	11.4	3.5	14.9	12.9	4.0	16.9	15.7	6.8	22.5	14.0	7.7	21.7	16.33	5.11	21.44
Oct. 1	15.0	1.9	16.9	14.5	2.4	16.9	15.9	6.0	21.9	15.4	4.5	19.9	16.26	5.17	21.43
1956—Jan. 1	14.5	2.4	16.9	15.0	4.9	19.9	15.9	6.0	21.9	15.4	4.5	19.9	16.32	5.32	21.64
Apr. 1	13.6	3.4	16.9	14.5	3.4	17.9	15.9	6.0	21.9	15.4	6.1	21.5	16.42	5.01	21.43
July 1	14.9	5.0	19.9	15.3	4.6	19.9	16.1	5.8	21.9	15.7	6.5	22.2	16.34	5.44	21.78
Oct. 1	14.9	5.0	19.9	14.6	4.3	18.9	16.1	4.8	20.9	15.7	6.5	22.2	16.40	5.34	21.74

1 Esso established fair-trade prices Apr. 30, 1956.

House brand gasoline prices by quarters—Continued

Date	Newark, N.J.			Philadelphia, Pa.			Wilmington, Del.			Baltimore, Md.			55 city average		
	Dealer's tank wagon	Dealer's margin	Retail service station, excluding tax	Dealer's tank wagon	Dealer's margin	Retail service station, excluding tax	Dealer's tank wagon	Dealer's margin	Retail service station, excluding tax	Dealer's tank wagon	Dealer's margin	Retail service station, excluding tax	Dealer's tank wagon	Dealer's margin	Service station price, excluding tax
1957—Jan. 1.....	14.9	5.0	19.9	15.3	4.6	19.9	15.6	5.3	20.9	15.7	6.5	22.2	16.21	5.28	21.49
Apr. 1.....	15.9	5.0	20.9	14.6	5.3	19.9	16.6	4.3	20.9	16.7	6.5	23.2	16.63	5.32	21.95
July 1.....	16.1	5.8	21.9	14.0	3.9	17.9	14.7	5.2	19.9	16.9	6.3	23.2	16.65	5.54	22.19
Oct. 1.....	15.9	5.0	20.9	14.6	4.3	18.9	14.5	4.4	18.9	16.3	6.1	22.4	16.21	5.21	21.42
1958—Jan. 1.....	14.4	4.5	18.9	12.9	4.0	16.9	13.4	4.5	17.9	16.0	5.0	21.9	16.55	5.16	21.71
Apr. 1.....	15.2	4.7	19.9	15.2	4.7	19.9	15.2	4.7	19.9	15.3	5.6	20.9	16.39	5.19	21.68
June 1.....	14.2	4.7	18.9	15.2	4.7	19.9	15.7	4.2	19.9	15.3	5.6	20.9	16.07	5.36	21.43
June 20.....	13.2	4.7	17.9												

Source: Before July 1, 1956, Department of Statistics, American Petroleum Institute; starting July 1, 1956, National Petroleum News. NOTE.—This chart shows how fair trade may promote low prices while preventing unfair competition.

The second table gives the tank-wagon price and the service-station price of gasoline in New Jersey after fair trade was adopted in 1956. It shows considerable variability in retail prices, over a range of 3 cents a gallon. It demonstrates beyond question that a fair-trade price responds to competition and is no more rigid than any other price. Of course, the important thing is that what fair trade does is to provide a stable margin within which a small business that does not have excessive capital can live, can survive, can operate.

(The table is as follows:)

New Jersey price changes during fair trade (excluding 7-cent tax)

After fair trade	Tank-wagon price to dealer	Service-station price
	Cents	Cents
Apr. 30, 1956.....	14.9	19.9
Jan. 10, 1957.....	15.9	20.9
June 26, 1957.....	16.1	21.1
July 30, 1957.....	15.9	20.9
Oct. 2, 1957.....	14.9	19.9
Dec. 6, 1957.....	14.9	18.9
Mar. 1, 1958.....	15.2	19.9
May 8, 1958.....	14.2	18.9
June 20, 1958.....	13.2	17.9

¹ Less ½ cent voluntary.

Furthermore, it is obvious that price competition is only one form of competition to the retail store. There is also service competition. There is the competition of location and convenience. There is competition of personality between the owners and employees of different stores. There is advertising competition. There is merchandising competition. There is inventory competition. Of all these forms of competition, and all of them are extremely important to the consumer, only price competition, on the basis of all the testimony of all the opponents of this legislation before our Small Business Committee, only price competition could be adversely affected by this legislation. And I think that the evidence that we had certainly convinced me that price competition is going to be of a much more healthy kind, of the kind that is in the long-run interest of the consumer if fair trade is encouraged, if fair trade, indeed, is made possible by this kind of legislation.

Mr. Chairman, I would just like to conclude by saying that when fair trade broke because its great and good friend, General Electric, decided finally that it just could not hold out any longer—and it was a good friend of fair trade—the situation in my State of Wisconsin was just a thack, it was disastrous. We found small businesses that were pushed into positions where they could not survive. The bankruptcies in Wisconsin have gotten larger. All for what purpose? The evidence is that this does not benefit the consumer in the long run, this insistence on jungle warfare of the kind that 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 can be sure that we will have before you before the day is out a comprehensive statement in which we have all of the material included.

Senator BIBLE. Thank you very much, Senator PROXMIRE. On the contrary, it was a very good statement. I know of your interest in the bill and the work you have been doing on the Small Business Committee. I very much appreciate your appearance this morning. Thank you.

ANNIVERSARY OF BIRTH OF THAD-EUSZ KOSCIUSZKO

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 hundreds of 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 history of the United States.

He is Thadysz 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 resounding one in this country. We must never let the freedom-loving people in Poland and in other 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. Today, the evolution of warfare has rendered military force utterly unrealistic and impractical as a means of accomplishing an identical end. But we want our brothers in Poland to know that the United States will utilize every possible political, economic, and moral sanction to help them win back their freedom from their Communist oppressors.

RETIREMENT OF FRANK HENRY HIGGINS, ASSISTANT SECRETARY OF THE ARMY

Mr. KEFAUVER. 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 position. Secretary Higgins was nominated 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 materiel for our allies under the military assistance program. He has had the tremendous responsibility of the management of an average annual inventory of \$18.7 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 inventory is continually screened 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 this to insure the best possible use of the moneys provided by the Congress has

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 was the ever continuing effort for standardization of equipment and the development of an ease of maintenance program. The success of Mr. Higgins' efforts are demonstrated by a substantial reduction in the total number of items in the Army's inventory since World War II. The true 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—Logistics—has ever 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 the American public to the problems faced by the Army, and to encourage the participation of all in solving these complex problems. During the past 4½ 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 have resulted in general support of the Army program and have done much toward securing congressional understanding. He has met across the table with over 7,000 executives of industry and military 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. In countless instances in open forums he has expressed clearly the Army problems and explained in detail the Army programs and procedures. He has invited industry criticism on any subject, at any time, with the Army profiting immeasurably therefrom. Probably, in the final analysis, this dedication to public understanding has been one of his outstanding accomplishments.

Secretary Higgins' retirement represents a great loss to the Army, to the Government, and to the country. I would like to extend my heartiest best wishes for him in the future and to say thanks for a job well done.

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 goes on a rampage.

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 not only needs this today, it has needed this for many, many months. For more than a year I, and other Members of the Congress, have been repeatedly bringing this urgent situation—which threatens our national economy and security—to the President's attention. We have asked for a definite program. All that is required is a simple Executive order. The administration has responded with the voluntary oil import program, which is definite only in that it is definitely vague.

Mr. President, we know from heart-breaking experience that this voluntary program does not work. A flood-swollen river is not stopped from wrecking property and human lives by saying, "You really are bringing in a little too much water and you ought to slow down, that is, if you want to."

The administration has told us how our Nation has been jerked from the brink of war by its diplomacy. Yet this same administration deliberately and unconcernedly is bringing a large group of Americans to the brink of financial ruin. This flood of imported oil has washed many of our people over that brink and more will follow if the flow is not stopped.

This is not an argument between tycoons. The administration, long noted for its love of ultrabig business, sees to it that the big cartels are not hurt. In fact, much of the foreign oil which is flooding into the United States is from fields overseas controlled by big American combinations.

The person who is being smashed in this operation is the independent oilman—the small businessman of the oil industry—the drillers and other workers in the fields, and the people in related industries such as the manufacture of drilling tools or the transportation of oil. These people are being deprived of their chance—their right—to make a living.

There has been a 17 percent decrease in the number of oil wells drilled in the United States. More and more people are being put out of work by a flow of imported oil which, in some weeks recently has run as high as 2 million barrels per day while American oil production has been cut back. This not only puts more jobless people on Government relief rolls, but, through the cut in tax revenues and the fact that less money is available, it hurts the State and national economy as well.

Yet the administration continues to exhibit its fascination in figures instead of a feeling for families, its interest in computation and calculation instead of in commonwealth, its concern for sums instead of for society.

The Nation's oil industry is of vital importance to the economy of the United States. And the value of oil to national defense cannot be reckoned.

We have asked the Eisenhower administration to find an agreeable solution to this pressing problem. An order from

the President is all that is required. However, the administration has chosen to ignore rather than to explore.

The administration has often boasted to us of its statesmanship abroad, but it seems to have completely overlooked the critical need for united statesmanship when a segment of our economy is threatened here at home.

Mr. President, the board of directors of the American Association of the Oilwell Drilling Contractors has passed a resolution which I feel should be brought to the attention of the Government, and 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 ratio to U.S. crude oil production; and

Whereas the combined imports of crude oil and refined oil products in recent months has been considerably above the 1958 average, in some weeks 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 460,000 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 result in a 17-percent decrease in 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 refined oil products as well as imports of crude oil, and that the program limit the imports of both crude oil and refined products to their 1954 ratio to U.S. crude oil production.

RESISTANCE OF PEOPLE OF WARREN 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 fine 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.

Events regarding school integration happened thick and fast in Virginia. Warren County had already been forced to close its magnificent high school. The people thought the course was clear 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 knuckle down to the NAACP and will not permit agitators to control 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 demonstrated 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 white student 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 pseudomodern 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. What the people there have done is nothing but a true psychological and sociological manifestation of a most evident truth. Freedom of choice in association, either by individuals or groups, is a fundamental, God-given, and inalienable right. It is this right 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. All that is now required to attain this goal is for the people at 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, scourged to his dungeon, but are sustained and soothed by an unfaltering trust in the righteousness of their cause and the ultimate righteousness 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 overlook 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 my 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 report I 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 his report to 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. And I am sure you are apprised 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.

Then there ensued a colloquy between 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 extension of the act 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 in 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 Irked 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 IRKED 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 extension of the 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 such 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 U.S. Congress leaving the Sugar Act extension pending for a few months.

VISIT

Habaneros and U.S. Embassy staffers recall Senator ELLENDER's visit 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 staffers, telling them he didn't want their opinions, and a press conference at the Embassy at which his most frequently repeated remark was "Of course, I don't know anything 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.

PROMPTED

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

Batista was most curious. He said he couldn't understand why the United States should not ship arms to a nation to help it maintain internal security. "Of course, if there really was a civil war going on that would be different," he said.

He said it was his impression that some bandits were burning the sugar fields, and that Batista needed guns to keep the peace. In referring to Castro's forces, Senator ELLENDER usually used the word bandit.

He said he thought it would be tragic if a civil war did actually happen in a place so prosperous and wonderful because only the people would suffer. About that time, the Batista secret police were killing people by the score and leaving the bodies in the streets.

POLLS

The Senator also said he heard that Dr. Castro had actually tried to prevent people from going to the polls and that he thought that was pretty bad. "Of course," he said, "I don't know this firsthand."

He was asked if he would try to see Dr. Castro (then fighting in the hills) when the Senator went to Oriente Province on his inspection trip to the Moa Bay mining camp. He said he was in no position to talk to Dr. Castro, that he was a legislator and had no intention of getting involved.

He said the public relations campaigns over the sugar quota were putrid and rotten and that he would do all that he could to retain Cuba's sugar quota. Apparently today he changed his mind.

But he is remembered by people who attended these meetings at the Embassy chiefly because he said he didn't want them to tell him, he wanted to tell them, and that by and large, his theme was that he didn't know what he was talking about.

They agreed.

Mr. ELLENDER. Mr. President, it is not my purpose to delay the Senate by going into a discourse of the decisions I reached on the situation as I found it during my recent trip to Cuba. My position is clearly stated in the report I filed with the Committee on Appropriations, and which I have also presented to Senators in this Chamber. However, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, excerpts from my report. These excerpts are based on the notes I made while I was in Cuba.

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

I found much resentment against the United States among some of the leading people, both Cubans and Americans, because we have failed to sell military equipment, for the maintenance of internal security, to the recognized (Batista) government. I was told that the Cubans have been forced to buy inferior arms from Italy, France, England, Switzerland, and even Israel.

I cannot understand why we refuse to sell military equipment to Cuba; arms shipments were stopped over a year ago, I was informed. It is my belief, from what I have been told, that, if the Cubans were able to obtain arms in time, the present government could easily stop the strife that has resulted from Fidel Castro's efforts to overthrow the government. There is no effort made to punish those who set fires to cane fields and mills, cut off water and electrical supplies, kidnap people, including U.S. citizens, sabotage ports, railroads, and the like. It would be calamitous to this country if it were engulfed by civil war.

I was informed by many people that the rank and file of labor is against Batista regime because of what was described as his denial of human rights. He rules by

decree and the courts have little to say if the military should decide to shoot down a citizen in cold blood. I did not pursue the subject very far with our own people, for the reason that many of the conclusions reached were based on hearsay.

All Americans connected with our embassy and our missions here kept hands off of the election that took place recently. I was informed that over 60 percent of the people of Cuba participated in the election, which Batista's man won. There does not seem to be much unrest in and about Havana—I do not know about other parts of the island. However, I was told that much sabotage was going on, and that Castro was making all sorts of threats against those who do not choose to follow him.

In the absence of our Ambassador, our Chargé d'Affairs, Daniel Braddock, accompanied me to chat with Dr. Gonzalo Guell, Prime Minister of State and Minister of Foreign Affairs. A confidential résumé of the conversation, prepared by Dan Braddock, is available in the committee files for the use of Senators (exhibit A).

Dr. Guell is a very polished gentleman. I liked his manner. As he speaks he has a twinkle in his eye and the sign of a smile on his lips. He is tall and slender and looks the part of a statesman. He is very firm in his belief that Batista has done a good job and that it would be tragic for Castro to take the lead in 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 elections were fair, as far as he could see. He said the usually large number of the people did not vote in the election because of threats by the Castro forces—that people were in fear of voting 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 his government. He declared several times that the conflict was, by no means, a civil war. He said he feared that if matters keep on deteriorating and if Castro kept on obtaining support from abroad, dire consequences might result. He complained that the Cuban army was not well equipped, that its armaments were old and worn, and more modern equipment was necessary. He indicated that if his government had been able to purchase equipment from the United States and if the United States had taken stringent precautions to prevent shipment of goods, wares, and arms to Castro and his followers, the disturbances could have been stopped many months ago.

He is a staunch Batista follower and I concluded that he mentioned many subjects that reflected the views of all Batista adherents.

I attended a very nice luncheon given by the American Chamber of Commerce at the American Club, of which Paul Hellman is president. All present were concerned with the situation here in Cuba, and agreed that it would be tragic for a fullblown civil war to break out. I spoke to them for a few minutes as to our own financing condition and with respect to foreign aid. Few, if any, believed that we should grant any sort of aid to the countries to the south of us—all agreed that private capital can, and will, do the job if given a chance.

That evening, I attended a dinner given by Mrs. Smith in the absence of her husband, the Ambassador, which many promi-

nent Members of Congress and other Cuban officials attended.

I again met the Prime Minister and talked to him.

The chairman of the appropriations committee of the Cuban Senate, Senator Marino Lopez Blanco was present, as well as the President of the Senate Anselmo Alliegro, and the Speaker of the House Gaston Godoy. I enjoyed listening to these various officials.

I learned that during the last fiscal year there was a surplus in the Cuban treasury, but that this year, because of the additional burdens placed on the Government by the Castro movement, it will not be possible to balance the budget.

All agreed that Cuba had never in its history enjoyed more prosperity than now.

Again, I heard much resentment expressed at our refusal to continue to sell arms to the Batista government.

Havana is growing rapidly. Land is very expensive and building materials are likewise high. Apartment houses are going up all over the place. A new tunnel was recently completed that goes under the entrance to the harbor, near Morro Castle and lighthouse. The castle, or fort, built by the Spaniards many years ago, is now occupied by troops and used as a barracks, I was informed.

I took pictures of the Maine Monument, particularly the eagle at the top thereof. Several years ago the monument was badly damaged by a hurricane. The original eagle fell and a new one was made. The old one was repaired and placed on the grounds of our Ambassador's residence.

At noon I was guest at a dinner given by the Sugar Institute, at the country club. Mr. Arturo Manas, the president, is as fine a man as I met on this trip. An able lawyer and a devoted Cuban, he has much commonsense. He would be excellent presidential timber if it were possible to elect him. I was very much impressed with his sincerity.

Julio Lobo [Julius Wolf], the recognized sugar king, was present. He loves Louisiana and its people. He was graduated from Louisiana State University and was employed as a chemist in some of our Louisiana mills for a few years. He is extremely wealthy and controls much of the sugar that is produced here.

I was asked to say a few words at the dinner. I began by saying that although a few years ago I was branded as "Cuba's Public Enemy No. 1," I had no horns growing on my head, that I merely did what any good Senator would do—that is, represent my constituency. 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 join us in extending the act 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 current rate. In other words, improvements 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 by law to be paid, whether or not their jobs are abolished because of modernization. The colonos, or farmers, cannot be dispensed with, except for refusal to pay rentals fixed by law. A colono cannot be dispossessed by a landowner unless

the landowner pays a high price for what is termed a vested right. No improvements can be made unless the colono agrees to it.

At 9 a.m. on December 14, 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 of commerce just a few days earlier. I toured some of the villages along the coast on the new highway that is now being built to the east of Havana, and I visited a large cement plant operated by Mr. Scott Thompson. Aside from Mr. Thompson, I was accompanied by Mr. Paul Heilman and 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. I was also told that those who profess to be with Castro would not necessarily support him to head the government—that Castro is being used as a tool, in the hope that sufficient sentiment can be created against Batista so as to force him to quit.

The trouble here has been brewing for quite some time and quite a few Americans I spoke with seemed to feel that about all that our Government has been doing is standing on the sidelines and letting the situation worsen. It was the hope of some that the situation might adjust itself.

Much blame is put for some of the trouble at the doorstep of two of our leading American newspapers. I heard it said more than once that Herbert L. Matthews, a writer for the New York Times, made a hero of Fidel Castro, and that he was assisted by Jules DuBois of the Chicago Tribune who, it was said, elbowed around with Castro. I was told that DuBois wrote some very complimentary articles about Castro. DuBois, I was informed, is head of the International Press Association. Quite a few persons said he hates Batista to such an extent that he wrote very irresponsible articles about conditions in Cuba. Much of the information was distorted, I was told.

Most of the Americans I spoke to here, as well as many leading Cubans, feel that both the New York Times and the Chicago Tribune acted in utter disregard of the truth when they printed stories favoring Castro, that both newspapers cast their responsibility to the winds and printed unwarranted articles about the situation here.

These articles, I was told, had the effect of making Castro a hero, and thus able to gather more and more strength.

As I mentioned earlier, I believe that few people would choose Castro as a leader; he is used as a symbol of the hate that the Cubans bear against Batista. I was told that Castro has been riding high because of the favorable publicity he received from the American press, but few would trust him to be president and successor of Batista.

I asked about the recent election held for a successor to Batista. Few people, except Batista partisans, would say that the election reflected the will of the people. President-elect Andres Rivero Agucro is pictured as a stooge of Batista. On the other hand, I was told that Castro caused many voters to stay away from the polls. He threatened all eligible voters with trouble if they should participate in the election. There were quite a few riots all over Cuba and no doubt many people were put in fear to such an extent that they did not vote.

If Castro were the only contender, there might be some merit in the contention that he would do more for the country than 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 headed by Carlos Prío's Authentic Organization and another, the Revolutionary Directory headed by Foure Chamount. All three are vying for power, and I fear more trouble will ensue if any one faction wins out, through a coup d'etat, or otherwise.

Prío 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 makes it difficult for Batista is, of course, his unpopularity. He is despised to the point where some people would do almost anything for a change. From all I heard about Batista, he has doubtless ruled—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, will not result 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, who took advantage of their positions to make themselves rich. If that is true, it will be rather difficult for any one person to restore dignity and honesty to the government overnight. It will require time, patience, and honesty of purpose.

Many stated to me that Batista has done a good job, 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 until this year, when arms were purchased at 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. Other sellers simply charged as much as the traffic would bear.

A United States embargo was placed on armaments early in the year. Why that was done, I could not find out except that we were afraid of siding with the recognized government against factions opposed to Batista, and thus incur criticism from the Russians for interfering with the internal affairs of a sovereign state.

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 was 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. Many persons 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 with the favorable publicity given to him by the American press he captured the attention of the people and was thereby able to get more and more followers.

Today I am told Castro will not permit sugar to move out of Oriente Province unless he is paid so much "tribute" per bag by the growers. Batista's government (which is recognized by us) is not able to stop these unlawful acts. Some of the canegrowers are

willing to comply because of fear of reprisal. I was told that much military hardware is being smuggled from the States to those who oppose Batista. There is no doubt a move to throw Batista out, no matter what the consequences may be.

I personally believe that it is risky for us to merely stand by and let these things happen. It is certain that conditions will get worse, and I doubt that a successor to Batista chosen in the heat of battle will be any improvement in the long run. If the civil strife now prevailing should be maintained, it may develop into a full-fledged civil war, which would be a tragedy for all parties concerned, including the United States. We cannot afford to merely stand on the sidelines.

Now, what to do is the question. Certainly, since we have recognized the present regime, we should not hesitate to take such steps as are necessary to at least permit that regime to restore law and order and maintain internal security. If a fair amount of equipment to be used for that purpose is necessary, we should not hesitate to sell it. No one would expect us to take sides in case of bona fide civil war, and we should not.

I repeat, it would be a tragedy for civil war to break out in our backyard. Since Batista is held in disfavor in so many quarters, it may be possible to persuade him to quit, provided that the Government of Cuba is placed in the hands of a competent and independent provisional commission.

Since it is the objective of the factions that are opposing Batista to oust him and make an effort to restore law and order, all might agree to the selection of a competent commission to govern Cuba for the next few years, until tempers cool. Should that course be pursued, then those opposed to Batista would have won their point by causing him to agree to resign. Castro's main objective, I was told, is to rid Cuba of Batista, period.

Also, if such a suggestion were accepted it would be a Godsend, in that it would doubtless end the strife that is now going on, and avert an all-out civil war.

Unless such a course is pursued, Cuba's now thriving economy may be set back for many years. Private capital may cease to flow into the country because of instability.

From all that I have heard, I doubt that peace will come if the President-elect takes office in February. The Batista-haters will by no means be satisfied and strife will unquestionably persist for some time.

The Cubans are good people. They are very sensitive and easily aroused, but I have a feeling that they would listen to reason. The Cubans look upon us as big brothers. The masses would welcome actual intervention by us, but of course that is out of the question. Since conditions have been allowed to deteriorate to such an extent, all that we can now do is to offer reasonable suggestions along the lines I have submitted, so that the Government can keep on functioning for the good of Cuba and not for the benefit of a chosen few.

Cuba should be sold to Cubans. They should be instilled with the great benefits that will accrue to all the people if only stability can be restored to their government.

Emphasis should be placed on the damage and losses that confront her should all-out war occur. We should appeal to the patriotism of all leaders to end the current strife, avert nationwide civil war, and enter into a cooling-off period so that order can be restored.

A commission, composed of good, honest men should take charge for at least 2 years. The military should be removed from the picture, except as may be necessary to assure internal security. Once this were done, then free elections could be scheduled and an effort made to elect honest, patriotic, and worthy servants to carry on for 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. ELLENDER. Mr. President, I wish to refer further to Mr. O'Rourke's article in which he writes:

He said the public relations campaigns over the sugar quota were "putrid and rotten" and that he would do all that he could to retain Cuba's sugar quota. Apparently today he changed his mind.

Mr. O'Rourke was referring to me.

Mr. President, the statement I made that the public relations campaign on behalf of Cuban sugar growers being putrid was made 3 years ago, when the act as it now appears was placed on the statute books. The public relations results which were created in this country by sugar lobbyists from Cuba were, in my opinion, bad.

As a matter of fact, I feel sure that this bad public relations work caused a great many Senators to vote as they did on the bill. These lobbyists from Cuba made many statements that were untrue, and I resented them very much.

All I sought to do at that time was to give to the producers of sugar in the continental United States their just share of the increased domestic consumption, caused, in part, by our increase in population.

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. He should have known better.

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 personnel of our Embassy in Havana.

Nothing could be further from the truth. I asked them for information on various programs being conducted in that country and they furnished me with what I requested. I know of no friction between them and me. By and large, I found most of our Embassy personnel to be hard-working, conscientious 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, because its assertion by me has occasioned expressions of great surprise on the part of many Americans—including the President of the United States.

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 word—"a matter 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 Alaska Statehood 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 85th Congress, I wish to read directly from Public Law 85-508, 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 even greater revelation for me 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 1906; 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 forever. In the case of Oklahoma there was written into the law a further proviso assuring that the act would "not be construed to prevent the establishment and maintenance of separate schools for white and colored children."

I ask unanimous consent, Mr. President, to have the memorandum setting forth the specific language of the school provisions of those admission statutes, as provided me by the Legislative Reference

Service of the Library of Congress, printed herewith in the RECORD, as a portion of my remarks.

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

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., February 3, 1959.

To Hon. HERMAN E. TALMADGE,
From American Law Division.

Subject: List of the States which were given exclusive control over their public school systems by express provision of the enabling acts admitting them to the Union together with the text of the language used in each instance.

You have asked for a list of the States which were given exclusive control over their public school systems by express provision of the enabling acts admitting them to the Union together with the text of the language used in each instance.

In the statute enacted to enable the admission of the States of North Dakota, South Dakota, Montana, and Washington the following language appeared:

"The schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of the said States, respectively, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university." (Public Law 52, 50th Cong., 2d sess., ch. 180, sec. 14; 25 Stat. 676, 680 (1889).)

Similar language appears in similar context in the enabling act or act of admission for each State admitted to the Union since that time. The specific provisions concerning each of these States are as follows:

IDAHO

"SEC. 8. * * * The schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of the said State, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university." (51st Cong., 1st sess., ch. 656, sec. 8, 26 Stat. 215, 216 (1890).)

WYOMING

"SEC. 8. * * * The schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of the said State, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university." (51st Cong., 1st sess., ch. 664, sec. 8, 26 Stat. 222, 223 (1890).)

UTAH

"SEC. 11. The schools, colleges, and university provided for in this act shall forever remain under the exclusive control of said State, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purpose, or of the income thereof, shall be used for the support of any sectarian or denominational school, college, or university." (53d Cong., 2d sess., ch. 138, sec. 17, 28 Stat. 107, 110 (1894).)

OKLAHOMA

"SEC. 8. * * * Such educational institutions shall remain under the exclusive control of said State, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes, or the income or rentals thereof, shall be used for the support of any religious or sectarian school, college, or university." (59th Cong., 1st sess., ch. 3335, sec. 8, 34 Stat. 267, 273 (1906).)

NOTE.—Section 3 of the same act contained the following provision:

"Fifth. That provisions shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said State and free from sectarian control; and said schools shall always be conducted in English: *Provided*, That nothing herein shall preclude the teaching of other languages in said public schools: *And provided further*, That this shall not be construed to prevent the establishment and maintenance of separate schools for white and colored children."

NEW MEXICO AND ARIZONA

"SEC. 8. That the schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of said State, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university." (Applicable to New Mexico.)

"SEC. 26. That the schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of the said State, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university." (Applicable to Arizona.) (61st Cong., 2d sess., ch. 310, secs. 8 and 26, 36 Stat. 557, 563, 573, 714.)

ALASKA

"Sec. 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, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university." (July 7, 1958 [H.R. 7999] Public Law 85-508, 85th Cong., 2d sess., sec. 6j.)

You have also asked for certain excerpts from "The Commission on Intergovernmental Relations—A Report to the President for Transmittal to Congress." We are enclosing a copy of House Document No. 198, 84th Congress, 1st session, which contains the entire report of the Commission.

VINCENT A. DOYLE,
American Law Division.

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. That possibility exists because 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, 53.9 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 3.6 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

[Amounts in thousands of dollars]

Region and State	Total amount available (cols. 3+4-15)	Balances from previous year	Revenue receipts (taxes, appropriations, etc.), by source										Total non-revenue receipts (bonds, loans, etc.)	
			Total revenue receipts	Federal		State		Intermediate		Local ¹		Other revenue receipts ²		
				Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount		Percent of total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Continental United States:														
1955-56.....	14,529,654	2,486,788	9,686,677	441,442	4.6	3,828,886	39.5	173,624	1.8	5,220,435	53.9	22,291	0.2	2,356,189
1953-54.....	11,825,192	2,134,336	7,866,852	355,237	4.5	2,944,103	37.4	240,733	3.1	4,306,521	54.7	20,258	.3	1,824,004
Percent increase, 1953-54 to 1955-56.....	22.9	16.5	23.1	24.3		30.1		(³)		21.2		10.0		29.2
Northeast.....	3,617,573	416,340	2,492,313	63,817	2.6	846,147	34.0	19	(⁴)	1,580,481	63.4	1,850	.1	708,920
Connecticut.....	156,705		123,870	6,120	4.9	32,639	26.3			85,111	68.7			32,835
Maine.....	44,809	1,576	38,076	1,972	5.2	10,316	27.1			25,764	67.7	4	(⁴)	5,156
Massachusetts.....	238,170		238,170	8,279	3.5	50,517	21.2			179,219	75.2	155	.1	
New Hampshire.....	38,094	6,176	25,552	1,507	5.9	1,399	5.5			22,596	88.4	50	.2	6,366
New Jersey.....	534,821	108,643	329,087	8,258	2.5	79,518	24.2	19	(⁴)	240,749	73.2	544	.2	97,091
New York.....	1,804,960	228,189	1,083,981	21,340	2.0	386,473	35.7			675,241	62.3	928	.1	492,791
Pennsylvania.....	726,740	61,927	597,370	13,385	2.2	274,516	46.0			309,469	51.8			67,444
Rhode Island.....	46,367	8,798	37,609	2,051	5.5	5,983	15.9			20,576	78.6			
Vermont.....	26,907	1,071	18,598	905	4.9	4,787	25.7			12,737	68.5	169	.9	7,238

See footnotes at end of table.

TABLE 3.—Revenue and nonrevenue receipts, and balances from previous year, by State: 1955-56—Continued

(Amounts in thousands of dollars)

Region and State (1)	Total amount available (cols. 3+4+15) (2)	Balances from previous year (3)	Revenue receipts (taxes, appropriations, etc.), by source										Total non-revenue receipts (bonds, loans, etc.) (15)	
			Total revenue receipts (4)	Federal		State		Intermediate		Local ¹		Other revenue receipts ²		
				Amount (5)	Percent of total (6)	Amount (7)	Percent of total (8)	Amount (9)	Percent of total (10)	Amount (11)	Percent of total (12)	Amount (13)		Percent of total (14)
North Central	4,624,391	908,251	2,777,241	99,910	3.6	859,512	30.9	78,441	2.8	1,733,321	62.4	6,057	.2	878,900
Illinois	817,699	165,405	437,945	15,586	3.6	105,251	24.0	13	(³)	317,095	72.4			214,349
Indiana	297,092	262,837	262,837	7,055	2.7	88,001	33.5	739	.3	166,491	63.3	551	.2	34,255
Iowa	308,870	83,552	174,046	4,899	2.8	22,922	13.2	1,802	1.0	141,812	81.5	2,612	1.5	51,271
Kansas	197,391	25,580	143,273	8,791	6.1	33,250	23.2	23,813	16.6	77,418	54.0			28,538
Michigan	874,535	192,024	528,281	13,501	2.6	256,257	48.5	1,809	.3	256,715	48.6			154,230
Minnesota	344,765	66,178	201,203	7,043	3.5	80,227	39.9	8,545	4.2	104,042	51.7	1,347	.7	77,384
Missouri	338,375	94,227	200,045	9,846	4.9	72,917	36.5	13,394	6.7	103,326	51.7	551	.3	39,403
Nebraska	138,383	35,095	69,220	3,485	5.0	4,515	6.5	6,971	10.1	53,948	77.9	302	.4	34,237
North Dakota	63,613	17,618	35,794	1,520	4.2	9,218	25.8			17,398	48.6			10,201
Ohio	829,113	185,147	474,057	17,814	3.8	142,398	30.0	54	(³)	313,997	66.2		(³)	169,000
South Dakota	71,647	22,521	42,445	2,558	6.0	4,275	10.1	7,067	16.6	28,545	67.3			6,680
Wisconsin	347,269	80,903	208,094	7,813	3.8	40,281	19.4	6,576	3.2	152,824	73.4	600	.3	58,213
South	3,315,996	409,583	2,537,787	174,759	6.9	1,377,693	54.3	21,422	.8	953,068	37.6	10,845	.4	368,626
Alabama	147,750	11,704	132,584	10,036	7.6	97,836	73.8			24,198	18.3	514	.4	3,462
Arkansas	87,068	13,846	63,100	7,038	11.2	26,724	42.4			29,337	46.5			10,123
Delaware	40,198	7,816	25,684	780	3.0	21,490	83.7			3,414	13.3			6,697
Florida	314,383	74,181	201,283	10,615	5.3	107,073	53.2			83,472	41.5	124	.1	38,919
Georgia	187,818	18,450	159,509	12,683	8.0	103,403	64.8			42,854	26.9	9,858	.4	9,858
Kentucky	112,897		104,375	8,728	8.4	37,462	35.9			57,898	55.5	287	.3	8,522
Louisiana	251,225	43,720	171,005	7,913	4.6	107,742	63.0			53,855	31.5	1,485	.9	36,500
Maryland	225,916	21,952	157,593	13,112	8.3	51,445	32.6			92,483	58.7	554	.4	46,371
Mississippi	95,650	10,153	80,609	6,232	7.7	41,804	51.9	9,805	12.2	26,288	28.2			4,887
North Carolina	262,207	29,476	214,486	13,060	6.1	148,045	69.0			49,834	23.2	3,548	1.7	18,245
Oklahoma	166,850	16,880	136,277	10,104	7.4	58,678	43.1	9,987	7.3	57,496	42.2	14	(³)	30,573
South Carolina	160,670	15,377	138,081	6,688	4.8	102,864	74.5			28,523	20.7	6	(³)	7,211
Tennessee	174,552	16,044	139,370	10,028	7.2	81,820	58.7			47,060	33.8	462	.3	19,138
Texas	713,663	98,321	514,915	24,917	4.8	277,498	53.9	1,630	.3	208,760	40.5	2,110	.4	100,427
Virginia	223,298	32,751	167,648	23,180	13.8	58,534	34.9			84,828	50.6	1,105	.7	22,899
West Virginia	110,717	13,077	92,847	4,231	4.6	55,275	59.5			33,274	35.8	66	.1	4,794
West Virginia District of Columbia	41,133		38,419	5,415	14.1					33,004	85.9			
West	2,971,694	692,615	1,879,336	102,957	5.5	745,534	39.7	73,743	3.9	953,564	50.7	3,539	.2	399,742
Arizona	107,066	23,992	71,992	5,694	7.9	22,257	30.9	7,809	10.8	36,134	50.2	99	.1	11,082
California	1,777,560	416,320	1,095,263	50,729	4.6	456,376	41.1	22,650	2.1	569,930	52.0	2,578	.2	264,977
Colorado	220,676	68,180	109,904	6,905	6.3	20,427	18.6	8,837	8.0	73,521	66.9	214	.2	42,532
Idaho	54,397	8,142	37,405	2,194	5.9	9,574	25.6	5,120	13.7	20,517	54.9			8,850
Montana	82,898	24,963	48,322	2,793	5.8	11,969	24.8	13,387	27.7	20,173	41.7			9,614
Nevada	25,165	8,053	16,292	2,468	15.2	6,705	41.2			7,118	43.7			820
New Mexico	96,507	26,208	64,866	8,256	12.7	42,070	64.9			14,525	22.4	14	(³)	5,433
Oregon	171,767	23,298	135,983	4,855	3.6	35,965	26.4	4,933	3.6	90,229	66.4			12,486
Utah	84,320	17,868	60,673	3,484	5.7	22,941	37.8			34,132	56.3	117	.2	5,779
Washington	306,981	70,338	206,152	14,494	7.0	110,806	53.7	9,459	4.6	71,392	34.6			30,401
Wyoming	44,357	5,254	31,486	1,085	3.4	12,444	39.5	1,548	4.9	15,892	50.5	518	1.6	7,617
Outlying parts of the United States:														
Alaska	13,860		13,860	2,642	19.1	6,838	49.3			4,380	31.6			
American Samoa	(³)		295							(³)				
Canal Zone	2,902		2,902	2,902	100.0									
Guam	2,238		2,238							2,238	100.0			
Hawaii	29,724	191	29,532	3,330	11.3					26,053	88.2	149	.5	1
Puerto Rico	53,637		53,637	9,545	17.8					44,092	82.2			
Virgin Islands	1,197		1,197	143	12.0					1,051	87.8	3	.3	

¹ 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."

² Includes gifts and also tuition and transportation fees from patrons.

³ A direct comparison between the 1955-56 data and the 1953-54 data cannot readily be made because of a reclassification of items comprising "intermediate" and "local."

⁴ Less than 0.05 percent.

⁵ Incomplete; amount of local funds provided by villages not available.

NOTE.—Detail may not add to totals because of rounding.

TABLE 3.—Total expenditures for public schools, capital outlay, and interest on school debt, for a period of 7 years: 1950-51 to 1956-57

State (1)	Total expenditures for public schools (2)	Amount of capital outlay by source of funds				School building authorities, 7.9 percent (7)	Amount for interest on debt (8)
		Total (3)	Local, 79.7 percent (4)	State, 8.8 percent (5)	Federal, 3.6 percent (6)		
Total	\$65,131,492,110	\$14,972,593,217	\$11,939,419,625	\$1,311,548,270	\$537,739,093	\$1,183,886,229	\$1,165,194,317
Alabama	783,722,756	87,735,247	52,091,686	21,288,048	14,355,513	0	4,384,699
Arizona	441,786,134	105,783,952	91,899,959	0	13,883,993	0	7,815,440
Arkansas	453,061,130	85,082,169	65,984,375	8,420,324	10,677,470	0	12,216,820
California	7,289,560,019	2,071,911,679	1,522,019,111	465,185,719	84,706,849	0	135,745,032
Colorado	263,775,783	171,341,541	160,490,615	0	10,850,926	0	16,147,526
Connecticut	892,691,000	207,102,000	190,022,697	10,869,366	6,209,937	0	18,979,000
Delaware	184,440,054	62,363,505	22,745,168	39,353,057	265,280	0	2,038,353
Florida	1,181,109,055	293,978,212	238,139,206	42,835,111	13,003,895	0	22,692,888
Georgia	1,162,170,050	268,525,857	101,973,165	0	25,565,304	140,987,388	8,263,281
Idaho	259,555,022	53,468,427	49,597,684	0	3,870,743	0	4,231,329
Illinois	3,677,960,896	832,263,000	822,101,543	0	10,161,457	0	90,000,112
Indiana	1,621,014,568	258,976,324	166,223,361	8,252,965	5,420,623	79,079,375	13,034,000
Iowa	1,122,970,000	243,367,100	241,649,903	0	1,717,197	0	12,992,000
Kansas	950,568,438	253,533,973	244,337,169	0	9,196,804	0	20,403,000
Kentucky	786,874,000	144,851,796	31,302,996	8,582,880	4,873,921	100,002,000	15,863,950

TABLE 3.—Total expenditures for public schools, capital outlay, and interest on school debt, for a period of 7 years: 1950-51 to 1956-57—Continued

State (1)	Total expenditures for public schools (2)	Amount of capital outlay by source of funds					Amount for interest on debt (8)
		Total (3)	Local, 79.7 percent (4)	State, 8.8 percent (5)	Federal, 3.6 percent (6)	School building authorities, 7.9 percent (7)	
Louisiana.....	\$1,171,992,057	\$217,534,825	\$212,974,618	\$0	\$4,560,207	0	\$29,651,113
Maine.....	252,077,002	27,640,028	21,683,983	22,437	1,840,142	\$4,093,466	2,203,108
Maryland.....	1,078,562,000	312,758,000	187,533,396	95,366,389	29,858,215	0	27,819,000
Massachusetts.....	1,581,047,000	255,637,424	254,440,009	0	1,197,415	0	0
Michigan.....	3,484,082,012	787,915,231	726,665,867	32,619,691	28,629,673	0	50,850,890
Minnesota.....	1,434,801,770	355,611,000	352,970,687	0	2,640,313	0	31,678,000
Mississippi.....	449,014,225	53,863,529	39,057,614	10,426,283	4,379,632	0	88,000
Missouri.....	1,324,214,353	250,246,673	238,390,081	10,677,917	10,178,675	0	13,182,160
Montana.....	287,338,292	49,347,066	45,684,867	0	3,662,199	0	2,568,374
Nebraska.....	483,060,245	67,901,688	65,140,766	0	2,760,922	0	6,068,612
Nevada.....	115,528,662	34,629,041	29,326,523	500,000	4,802,518	0	2,840,229
New Hampshire.....	172,037,000	31,155,382	30,929,381	0	226,001	0	1,936,000
New Jersey.....	2,248,387,658	470,134,380	464,648,686	808,050	4,677,644	0	46,833,650
New Mexico.....	369,110,013	85,770,570	67,795,115	0	17,975,455	0	3,999,190
New York.....	7,242,438,000	1,789,790,000	1,778,718,000	0	11,072,000	0	201,863,000
North Carolina.....	1,464,504,000	320,573,776	230,360,973	83,738,803	6,474,000	0	22,570,081
North Dakota.....	248,063,329	45,255,229	40,421,190	4,548,812	285,227	0	2,498,694
Ohio.....	3,324,443,100	836,236,333	785,183,924	23,277,553	17,774,856	0	81,208,735
Oklahoma.....	860,347,549	157,216,936	138,580,487	0	18,636,449	0	12,115,000
Oregon.....	852,382,082	204,696,967	201,856,539	0	2,840,428	0	15,281,851
Pennsylvania.....	4,434,691,000	1,121,331,475	259,328,537	0	4,245,938	857,757,000	41,716,622
Rhode Island.....	202,954,759	22,294,709	20,151,575	0	2,113,134	0	0
South Carolina.....	782,078,000	226,947,884	41,563,239	176,503,820	8,790,825	0	12,931,288
South Dakota.....	273,129,158	85,971,888	34,103,520	0	1,868,368	0	2,539,000
Tennessee.....	930,662,000	162,174,210	107,494,974	46,725,000	7,954,236	0	5,041,702
Texas.....	3,220,480,531	616,950,458	578,943,155	0	38,007,303	0	101,014,302
Utah.....	375,915,489	104,423,672	92,298,538	5,304,265	6,820,869	0	4,243,659
Vermont.....	135,224,670	20,682,377	15,140,352	5,356,874	185,151	0	1,338,363
Virginia.....	1,151,667,266	331,823,779	182,913,119	105,974,116	42,936,544	0	14,541,010
Washington.....	1,287,855,994	367,643,253	260,783,114	75,602,481	31,257,658	0	15,945,159
West Virginia.....	634,147,000	91,241,000	87,097,000	3,990,000	145,000	0	5,328,000
Wisconsin.....	1,375,357,000	293,305,744	265,545,274	25,219,309	664,161	1,877,000	12,846,000
Wyoming.....	182,603,689	48,342,908	47,691,885	0	651,023	0	2,636,444
District of Columbia.....	230,096,000	26,291,000	23,424,000	(23,424,000)	2,867,000	0	0
Total.....	610,946,089	74,608,149	8,135,915	29,620,800	36,851,434	0	3,713,104
Alaska.....	95,143,425	43,427,543	7,019,000	7,922,552	28,485,991	0	2,470,000
American Samoa.....	1,842,574	33,200	0	0	33,200	0	0
Canal Zone.....	21,732,870	1,509,587	0	0	1,509,587	0	0
Guam.....	14,829,000	2,662,000	0	2,472,000	190,000	0	0
Hawaii.....	171,104,960	13,831,357	1,116,915	6,174,654	6,539,788	0	1,243,104
Puerto Rico.....	299,521,330	11,713,602	0	11,620,734	92,868	0	0
Virgin Islands.....	6,771,930	1,430,860	(1,430,860)	1,430,860	0	0	0

Source: U.S. Office of Education. Thermofax 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 bodies, and the family were largely responsible for the maintenance of schools. Very early, however, a public responsibility came to be recognized, first 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 initiate 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 in the United States and abroad, compiles and publishes statistics and bulletins, and performs varied service activities. It administers the temporary programs of financial assistance for school construction and operation in federally affected areas. It also administers grants to States in support of resident instruction at 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, defense research, and veterans' programs. 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 construction 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 promote child health, encourage the consumption of farm products, and prevent waste of food surpluses. School lunch programs are not directly related to the support of education. It should be noted that this program is administered nationally by the Department of Agriculture.

Notwithstanding the importance of these 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 reason to regard State and local control of education as one of our most prized traditions. The Commission is not complacent about the problems which confront our educational system as a result of the impending increase in school population and the resultant need for additional classrooms, and the existing shortage of teachers, but it believes that the American people will address themselves 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 that responsibility should be discharged.

Since the early years of the Republic, our citizens have insisted upon free public education. In Madison's words, "a popular government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy, or perhaps both."¹ 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 indisputable national interest in having an educated citizenry; only in this way can National, as well as State and local, self-government be ensured.

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 served by State and local administration and control. The Commission believes that with certain exceptions, noted later, national action directly related to general public education is best confined to research, advisory, and clearinghouse functions such as those currently performed by the Office of Education.

It remains to apply these general considerations to existing Federal programs and to the present and anticipated shortages in elementary and secondary school facilities.²

SCHOOL LUNCH PROGRAMS

Irregular emergency grants for school lunches date back to 1933. Annual donations of agricultural commodities began in 1935, and annual cash grants for balanced lunches in 1943. The primary authorization for the present program is the National School Lunch Act of 1946, under which the Department of Agriculture distributes cash and commodities to States for nonprofit school lunches, and make cash payments directly to nonprofit private schools in the 27 States that prohibit any State payments to private schools.

In the fiscal year 1953, the National Government contributed in cash and commodities slightly more than one-quarter of the cost of the entire program. The States and local governments contributed about one-fifth, parents more than one-half. The National Government's contribution was almost equally divided between cash payments and commodity donations, so that national cash payments—just over \$67 million—constituted a little over one-eighth of the total cost of \$513 million. The program reached one-third of all elementary and secondary school children.

The value of Federal commodity purchases and donations rose to \$109 million in the fiscal year 1954 and is estimated to reach \$100 million in 1955, including expenditures of about \$20 million out of the \$50 million authorized for the milk program in 1954.

The Commission recognizes the accomplishments of the school lunch program and recommends that States take action to expand the program to include many schools and school children presently unable to participate.

With respect to Federal assistance to State and local school-lunch programs, the Com-

mission recommends (1) the continuation of commodity donations as long as these stocks continue to be acquired and held as surplus by the National Government; and (2) the reduction and elimination of cash grants after a reasonable period of time, with the assumption by States, localities, and parents of full responsibility for the cash financing required.^{3 4}

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 increased State and local contributions and payments by parents. It would seem that from here on the strengthening of the program depends mainly 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 localities should, and can, assume full responsibility for the cash payments needed to supplement commodity donations by the National Government and payments by parents. The Commission emphasizes the fact that the National Government's cash contribution constitutes only a little over one-eighth of the total cost of the program. The assumption of this portion of the program by States, localities, and parents will not involve a hardship.

SCHOOLS IN FEDERALLY AFFECTED AREAS

Since 1941 the National Government has provided money for schools in what are legally defined as federally affected areas. Conditions of eligibility and allotment criteria are provided by law. Grants are made directly to eligible school districts, and matching is not required. Payments are now authorized up to June 30, 1956.

The Commission recommends that legislative authorization 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 school districts. This burden is often aggravated by the tax-exempt status of Federal property in the affected areas. Special assistance for the support of schools will sometimes be unnecessary and in other cases can be substantially curtailed if the Commission's recommendations for payments in lieu of taxes are adopted. There will, however,

³ Dr. Anderson and Congressmen Dooliver and Hays 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. Ideally, the State and local governments and the parents should supply all the cash needed for the lunch program, but the Federal cash grant may be found to be an indispensable factor in the program's success, and we believe the program to be of national importance."

⁴ Senators HUMPHREY and MORSE dissent:

"National cash grants and commodity donations have together played a major part in developing this highly beneficial program. The Federal Government should, therefore, continue to supply cash grants in addition to surplus commodities so as to encourage the expansion of the program. Cash grants are necessary to achieve a balanced program and balanced diets which surplus commodities alone will not afford."

be situations calling for continuing support from the National Government.

VOCATIONAL EDUCATION

Concerned by the shortages of trained labor, the National Government in 1917 provided grants-in-aid to the States for the salaries and training of teachers of agricultural, trade and industrial, and home economics subjects in public schools. Subsequent laws have broadened the scope of Federal aid. Total grants now amount to around \$25 million, distributed among several categories.

In the fiscal year 1953, Federal grants accounted for only 17.4 percent of total public expenditures for vocational education. The States contributed 35.8 percent and local governments 46.8 percent. There are only 3 States in which State and local funds are not at least twice as large as Federal grants, and only 13 in which they are not three times as large. Many of the States with low per capita income are spending heavily for vocational education.

The Commission recommends that legislative action be taken to limit Federal grants-in-aid in behalf of vocational education to subjects vested with a clear and special national interest, and to establish new categories of Federal grants only to stimulate forms of training especially important to the national interest. It is further recommended that existing grants not meeting these criteria be eliminated after a reasonable period of time.^{5 6}

It is apparent that the States and localities have already assumed the major responsibility for supporting vocational education. Most of the existing federally aided programs have matured, and might well benefit from closer integration with the general educa-

⁵ Dr. Anderson and Congressman HAYS comment:

"We accept the recommendation, although with some misgivings. We believe that the major subjects of vocational education now partly supported by Federal grants-in-aid are vested with a sufficient national interest to justify continuation of the grants, and that Congress is most unlikely to establish a new grant in any field of vocational education unless there is a sufficient national interest."

⁶ Senators HUMPHREY and MORSE and Congressman Dooliver state their position as follows:

"In view of the fact that this program was enacted with national initiative and leadership, it would be unwise at this time to abolish or taper off national participation. The 17 percent Federal contribution is a significant item budgetwise in many of the poorer school districts in rural areas.

"The vocational agriculture program, with the attendant programs of the Future Farmers of America, forms the backbone of many high school agricultural instruction systems in rural areas. It has been one of the major contributions to the development of scientific farming. It has been a major factor in increasing our food supply. The home economics, trades and industries, and distributive educational programs have to some degree brought about the same benefits.

"Since the vocational education program provides scarce vocational skills essential to national defense and the domestic economy, yet reaches less than 50 percent of the potential clientele, it should be expanded. Not until States have demonstrated their ability to administer such an expanded program should the National Government consider tapering off its leadership and participation.

"In fact, the National Government, in cooperation with the States, should explore other scarce skill areas to determine the national interest and need for expanding the program."

¹ Letter to W. T. Barry, in "The Writings of Madison," ed. Gaillard Hunt, New York, 1910, vol. 9, p. 104.

² Chapter 6, on agriculture, has dealt with some of the Federal programs affecting agricultural research and education as carried on by the land-grant colleges. However, the Commission has had neither the time nor the resources to conduct adequate inquiries into other aspects of National-State relations in the field of higher education.

tional programs in the States and localities. The Commission recognizes, however, that revision of the program may be required 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 school 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 will be reflected 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 alltime 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 ought to, and can, take care of primary and secondary school needs. Its Study Committee on Federal Responsibility in the Field of Education came to the conclusion that the State and local governments can, if they will, afford adequate educational services.⁷ The Committee's report clearly indicates, however, that whether they do or do not will depend largely on the extent to which the State governments support local efforts.

Under nearly all State constitutions, State legislatures are obliged to provide for public education of all children. In practice, a substantial portion of this responsibility is carried out through local units of government, although State support of education has steadily increased until the States now contribute, nationwide, 46 percent of total State and local educational funds.

The States would have no trouble under ordinary circumstances in meeting their responsibilities. But the circumstances are not ordinary, and State reorganization and support of the educational system in a number of States must be accelerated rapidly if adequate standards are to be reached.

While the shortage of educational facilities varies widely from State to State, it varies much more widely from community to community within States. This situation intensifies the already serious problems, found in many States, that stem from marked disparities in the size and resources of local school districts.

A number of States have reorganized their school systems so as to eliminate large numbers of districts too small and too poor to do an adequate job. In the school year 1953-54, however, there were still some 62,000 school districts and other public school systems in the United States, the State totals ranging from 17 in Delaware to 6,113 in Nebraska. The consolidation of uneconomical school districts needs to be speeded in the interests of economy and the improvement of educational standards.

Consolidation should be supplemented by effective equalization procedures or other de-

⁷ Senators HUMPHREY and MORSE add the following comment: "Although the Commission makes no recommendations with regard to Federal aid to education in general, we do not want to associate ourselves with the conclusions of the Commission's study committee which would imply no need for Federal aid."

vices under which the State enables poorer districts to carry on a minimum school program. In addition, the State should help finance both current operations and capital outlays for buildings when the locality clearly lacks enough resources. These responsibilities are now recognized by some State legislatures; they should be universally recognized and discharged.⁸

It was pointed out in part I of this report that many States have severely restricted the taxing and borrowing powers of their subdivisions. Many of these restrictions, and some of the limits the States have imposed on their own taxing and borrowing powers, will, if not modified, deprive school systems of the increased capital outlays and operating revenues required during the next decade. The Commission's earlier recommendation that the States modify these constitutional and statutory limitations that impede effective State and local action is especially applicable to the financing of public education.

QUESTION OF FEDERAL AID

The proper course for State and local governments is quite clear. It is more difficult to determine what action, if any, the National Government should take to meet the serious immediate shortages that confront our elementary and secondary educational systems. The Commission, realizing that the welfare of the Nation's children is directly involved, has given intensive study to the exceedingly difficult question of Federal aid to education. No one denies that good schools are essential to the national welfare; the most important resource of the United States is its citizens—not its soil, minerals, climate, or extent of territory, important as these resources are. Every American child has a right to an adequate educational opportunity. The country owes to its children a suitable school plant.

That States should be responsible for providing adequate schools is unquestioned. The Commission firmly believes that they can and will properly discharge this responsibility. It is upon this premise that the following recommendation is presented.

The Commission recommends that responsibility for providing general public education continue to rest squarely upon the States and their political subdivisions. The Commission further recommends that the States act vigorously and promptly to discharge this responsibility. The Commission does not recommend a general program of Federal financial assistance to elementary and secondary education, believing that the States have the capacity to meet their educational requirements. However, where, upon a clear factual finding of need and lack of resources, it is demonstrated that one or more States do not have sufficient tax resources to support an adequate school system, the National Government through some appropriate means, would be justified in assisting such States temporarily in financing the construction of school facilities—exercising particular caution to avoid interference by the National Government in educational processes or programs.^{9 10 11}

⁸ All States currently extend financial assistance in some form to school districts for purposes of school operation and maintenance. But only 15 to 20 States aid in school construction, and in over half of these the amount of aid is insignificant.

⁹ Governors Driscoll and Thornton concur in the Commission's recommendation and add the following comment:

"It is generally agreed that a great strength in our public school system is its grassroots support. Our citizens have evidenced their intense desire to keep the management of their school system as close to the schoolhouse as is practical. There is evidence that indicates that when the financial support for local schools is substantially supplied by

The Commission recognizes fully the paramount importance of education to the national interest. It cannot, however, blind itself to the reality that support of general public education by the National Government would present a situation quite different from that existing in grant-in-aid programs in other functional areas. There is no need to stimulate State and local activity, since education is already the largest of all State and local activities. There is not here, as in some grant-in-aid

governments outside the community, local interest in the schools tends to diminish. From a practical point of view the division of responsibility for the financial support of education between two levels of government presents administrative difficulties, with support for schools occasionally being delayed while the governments involved resolve administrative differences with respect to controls or reach 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 action, the hope for financial assistance from a higher level of government may, and in fact has, upon occasion delayed the development of important programs. Local officials, anxious to avoid the unpleasant task of raising taxes on their neighbors, may understandably be expected to wait for a grant-in-aid program to solve their dilemma. If the grant-in-aid program is not adopted or is reduced, the service may suffer. All this aside from the basic issue that controls are an essential ingredient in a grant-in-aid program.

"We believe that the control of our free public school system from Washington is wholly undesirable. The wealth of the Nation is to be found in the States. In most 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 administration."

¹⁰ Dr. Anderson concurs with the substance and spirit of the Commission's recommendations and adds the following comment:

"I believe that the primary responsibility for the support of education should continue to remain with the State and local governments. I think they should first be given every opportunity and encouragement to finance education themselves insofar as they are willing and able. In cases of real emergency or great necessity, I see no objection to Federal aid. Whether such an emergency or state of need is now upon us, I would leave to the Congress to decide after it had held full hearings upon the subject."

¹¹ Senators HUMPHREY and MORSE and Congressman DINGELL dissent:

"We 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 educated citizenry and the just claims of every child to a fair chance to get an adequate education outweigh the arguments in favor of complete State and local support for education.

"Congress recognized the interest of the National Government in the problem of school construction by passing Public Law 815 in 1950. Pursuant to the authority of this act, the Office of Education conducted a comprehensive survey concluding that there was a nationwide need for 312,000 additional classrooms in 1952 to house nearly 9 million pupils at a cost of about \$10.6 billion. Moreover, in the next 5 years, it is estimated that approximately 720,000 public elementary and

programs, a tradition of joint National-State responsibility; on the contrary, education has been controlled traditionally by local units of government, with State aid and supervision.¹² There is no need for Federal leadership in setting minimum standards. There is a strong desire on all sides to avoid Federal setting of standards or conditions or the application of any other form of Federal control or supervision. There is a widespread feeling that any degree of Federal control over education would be dangerous.

If adequate educational opportunities were available only through a program of Federal financial assistance, the decision would be clear. But it does not follow that Federal aid is the way to get good schools. Under any moderate program of aid, the amount going to individual States would not be large enough to count effectively. And Federal aid in an amount sufficient to mitigate the problem significantly could result in such undermining of State and local responsibility as to endanger seriously the kind of educational system that has served us so well.

There are other special conditions. Twelve percent of the schoolchildren in the United States are educated in nonpublic schools, many of them in religious schools. The inclusion of these schools in any program of Federal aid would raise difficult legal questions and policy issues. Moreover, the key unit in the public educational system is the school district. If the National Government dealt directly with the Nation's tens of thousands of school districts, it would conflict with State educational responsibility and control. If it dealt only with the States, it could not achieve the objectives sought by Federal grants without imposing important and unwanted conditions.

Therefore, Federal financial assistance to any State should be resorted to only if it becomes clearly evident that such State does not have 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.^{13 14 15}

secondary classrooms and related facilities will be needed 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 postponed until the States correct their 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."

¹² Senators HUMPHREY and MORSE here want to point out that there has also been a historical pattern of some Federal aid to education since the Ordinance of 1785 and that the expression of the national interest in maintaining high educational standards by Federal legislation has ample and respectable precedent in American Government.

¹³ Governor Battle and Senator SCHOEPEL comment:

"Should it be determined that any State does not have adequate tax resources to provide proper school facilities, and thus justify assistance from the National Government, such assistance should be by a cash grant rather than by loans or loan guarantees—it is believed it would not promote the cause of education to burden such a State with loan repayments when school operating costs would probably preempt all available State resources."

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 the schools they have established 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 through submitting an 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 which have been written in support of my proposed amendment.

I therefore ask unanimous consent, Mr. President, to have printed at the conclusion of my statement a selected group of 58 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, as follows:

[From the Atlanta Constitution, Jan. 28, 1959]

VOICES 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 Ogeechee 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 words, "this 86th Congress will 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 TAL-

¹⁴ Governor Driscoll and Mayor Henderson comment:

"If a grant-in-aid program for capital construction is adopted, it should be limited to those States where need and lack of ability are clearly demonstrated, continued for a clearly prescribed limited period, and on terms that will encourage the State or States receiving assistance to resume their full responsibilities as quickly as possible."

¹⁵ Governors Shivers and Thornton oppose grants-in-aid on any basis.

MADGE declared his faith in public education and the need for its continuity.

The third voice of reason came Tuesday from the State board of regents opposing the 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.

Let them consider instead 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.

[From the Atlanta Constitution, Jan. 28, 1959]

SENATOR TALMADGE DOES A JOB

Senator HERMAN TALMADGE, of Georgia, in a speech delivered Tuesday on the floor of the Senate, seeking a constitutional amendment to return control of schools to local authority, did a necessary service for his State and region.

He became the first Deep South Senator or Congressman publicly to state the Supreme Court decision on the schools "is an accomplished fact which will remain so until it either is reversed by the Court itself or is nullified or modified by the Congress or the people."

For saying just that, ministers, editors, and all others who took such a position have been abused and smeared by forces ledged 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 HERMAN TALMADGE will surprise many, 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 also has courage and character. He has an affection for his State. And this caused him to speak.

OUT OF SCOPE

It must be made clear that he does not believe the Court decision to have been within the scope of the Justices. He as strongly protests and disagrees as do others who share his opinion.

Despite the fact that the Southern States of Kentucky, North Carolina, Tennessee, Louisiana, Texas, Florida, and even Arkansas have taken successful steps to comply with the Court order, Senator TALMADGE makes clear his opinion that the Deep South States will not. It is on this basis that he introduced a constitutional amendment which would, if adopted, reverse the present constitutional legality.

To those outside this surrounded and constructed center of bitter defiance and resistance, the plain, unvarnished statement by the Senator that the Court decision is an accomplished fact may be greeted with mild derision. But on this spinning globe, things remain relative. And for his region, Senator TALMADGE's statement is news.

It cuts through the hypocrisy that has been one of the features of politics in the Deep South. A good 99 percent of the South's political leadership has all along admitted

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 have encouraged the mob, the haters, the minds which think in terms of bombing churches and schools, by the most outrageous vilification and denials of Court authority and law. 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 statements by some southern Senators whose stature did not make politically necessary such words.

THE BACKGROUND

It is against this background that Senator TALMADGE's Court statement must be measured. He is an implacable opponent of the Court decision. But he has the necessary integrity to tell his people the truth:

"The Court action is an accomplished fact"—whether we like it or not.

The speech also included an eloquent plea for public education. It is a problem for local control and this those States themselves should be the first to admit and grant—while they ask it of the Federal Government. One of the curses of southern politics has been that it acts negatively—almost never positively.

Until someone says something better about education, Senator TALMADGE's summation will do:

"With the exception of seeking the salvation of his immortal soul," he said, "man has 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."

[From the Atlanta Constitution,
Jan. 29, 1959]

NEGATIVISM ON SCHOOLS IS CAST ASIDE AT LAST

Senator HERMAN TALMADGE's proposed constitutional amendment to vest control of public education in the States and their political subdivisions has one primary virtue over and above its practical aspects. It casts aside the purely negative approach and seeks a positive way out of the school dilemma.

For the first time a major Deep South politician seeks a way to keep the schools open through constitutional means. That in itself is recognition of the facts as they exist and thus opens a way to find positive solutions instead of piling up negative defenses which are bound to go the way of similar measures everywhere.

Senator TALMADGE is due the deepest thanks and gratitude for acknowledging the Supreme Court decision as a fact. He is due credit, too, for telling the people the simple truth which this newspaper has tried to point out so many times: The Court's decision is the law until such time as Congress and the people modify or nullify it by constitutional means.

It has been the rank and cruelest deception on the part of some political leaders to maintain that the Court's decision can be evaded through defiance, breast-beating, and by refusal to acknowledge any decision has been made.

It is pleasing, indeed, to have a major southern political leader offer a measure not to close the schools but to keep them open. It is even more pleasing to have Senator TALMADGE acknowledge the absolute necessity of education and the public schools. Those who have fled into those dark recesses of despair in saying it would be all right to close the schools for an indefinite period might profit by reading his evaluation.

Should the Senator's proposal by chance be taken seriously, it may, indeed, be the only way to save public education in some Deep South States. Certainly it is preferable to

a stubborn refusal to face facts, thus going down the inevitable road to destruction of our schools.

[From the Atlanta Journal, Jan. 28, 1959]

THE TALMADGE AMENDMENT

The remarks of Senator HERMAN TALMADGE made on his introduction of a constitutional amendment reaffirming the principle of local control of the public schools were cool and reasonable.

In them he faced facts. In abandoning the old and futile southern tactic of glorious death upon the ramparts in favor of a more realistic policy he promised a new and more aggressive day for the southern group in Congress.

The Senator said right out loud that like it or not, legal or not, constitutional or not, the Supreme Court's decision desegregating the public schools is 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, southern spokesmen in the past have been so negative that the country and Congress are in the habit of not listening when the floor is theirs.

But Senator TALMADGE's new departure and his realistic view of the matter will help create a new and more sympathetic audience for the South where 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 the consent of the governed in these cases, and the disastrous and lasting effects of the use of force to bring about compliance with the decrees of the courts. To continue the present policy, he believes, would result in wrecking the public school systems of a number of States.

His amendment "would permit either retention of the status quo or orderly change as dictated by the requirements of public opinion and make certain that whatever change might take place would be by the constructive process of evolution rather than the destructive process of revolution."

Local option within a State? Not when said on the floor of the Senate in a discussion dealing with the rights of the States.

But the same philosophy holds good right down through the county and school district level.

[From the Atlanta Journal, Jan. 29, 1959]

THAR'S GOLD IN THAT CLAUSE

Yes, Mr. President, there is a new State, and its name is Alaska. And yes, Mr. President, it does have control over its schools, although we realize that is a novel and suspect situation in this day and time.

At his news conference Wednesday, President Eisenhower expressed surprise that Congress, in voting statehood to Alaska, had granted it exclusive control over its schools.

Although this provision in the statehood measure was pointed out at the time of its passage, little fuss was made over it. It stands, however, as a major development in this period of growing Federal intervention in local affairs.

Indeed, Alaska may eventually find that that little clause in its statehood package is as valuable as its gold and timber and other natural resources.

In the meantime, Senator HERMAN TALMADGE has offered a constitutional amendment that would make available the same status to the other States. His proposal deserves careful consideration. After all, we don't want to discriminate among the States, do we?

[From the Atlanta Journal and the Atlanta Constitution, Feb. 1, 1959]

FROM THE DARKNESS A LIGHT FINALLY SHINES

The significant event of the week was the emergence of a new national spokesman for the southern cause with a new and positive way of presenting the facts of the southern school problem to the Nation.

The spokesman is Senator HERMAN TALMADGE. His platform is the constitutional amendment he introduced reaffirming the principle of local control over local public schools. This is a principle the country held self-evident until the Supreme Court's anti-segregation decision of May 1954.

His proposition is reasonable, however unfashionable it may be in Washington political circles this year. His tactic is to present his argument before the vast and mute group of independent voters outside the South. These are the quiet people who are not allied with any pressure groups. With no axes to grind they vote their convictions. When their interest is aroused they exert a powerful influence on national affairs.

Senator TALMADGE's measured and temperate approach should appeal to these people, granted he can get a full hearing. Unfortunately, southern spokesmen in the past have been guilty of so many irresponsible statements, and have spoken so frequently for home consumption only, that the rest of the country quit listening a long time ago.

The Senator's concern is the fate of the public schools. If the present trend continues he sees them smashed between the will of the insistent courts and the will of so much of the South to resist.

His formula to save them is simple and well within the American tradition of local self-government.

He wants to see each State and locality free to make their own decisions as to when and how their schools can comply with the antisegregation rulings. This depends on local conditions and attitudes. It presumes voluntary acceptance rather than compliance under duress.

This is the most sensible approach yet, the first we know of that considers the human equation. This equation has been tragically overlooked by those who would force through a matter which only time and slow evolution of popular attitudes can solve.

Senator TALMADGE is a realist. He also is extraordinarily sensitive to grassroots thinking. Here he may have caught a rising tide of national criticism of the Supreme Court and Chief Justice Warren.

It is certain he realizes the futility of the old sound and fury tactics of southerners in Washington. It is also possible he senses the beginnings of a vast dissatisfaction on the part of the people of the South with the negative kind of leadership that promises everything but when the chips are down can deliver nothing but the pledge of a semiliterate future.

[From the Atlanta (Ga.) Journal-Constitution, Feb. 1, 1959]

TALMADGE'S SPEECH A REMARKABLE THING

(By Harold Davis)

Senator HERMAN TALMADGE's speech on the Senate floor last Tuesday afternoon is a remarkable document considering it came from him.

It is surprising mostly because of its tone which is mellow and one might say moderate if that term had not been so abused in recent times.

True, it has a line or two in it which has shock value all of its own, particularly this one: "Regardless of whether one accepts it or not, the Supreme Court's school decision is an accomplished fact. * * *"

But the real surprise is that thing which cannot be analyzed. You may call it tone if you wish.

RHAPSODY

The speech was a paean, a virtual rhapsody, in behalf of public education. "With the exception of seeking the salvation of his immortal soul," TALMADGE told the Senate, "man has no greater responsibility than seeing that his young are educated to the fullest extent of their abilities. * * *

The rest of the talk was in similar vein, written in prose that was sustained throughout. It gave the impression that here is a man who really believes in public schools. That was one of the messages of the address.

The other was really the instrument by which the speech was made in the first place, 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 strictly local option category.

However, as TALMADGE and everybody else knows, that question is beside the point anyway because the amendment has no chance of every becoming law.

The Senator was asked why, under these circumstances, he introduced the amendment.

He said that he has gotten tired of being perpetually on the defensive, that he wants to sponsor something he believes in and can advocate in the Nation's councils. A constitutional amendment to give the schools back to the States and localities fills the bill, he said, and thus, after long study and thought, he presented it last Tuesday.

Asked if he regards his amendment and accompanying speech as any change of direction for him, he says definitely not. He will stake his dedication to the cause of separation of the races against anybody's at any time, he declared.

BIG NEWS

A great many people in Georgia, newspaper editors in particular, evidently thought TALMADGE's speech was big news. Several daily newspapers ran the entire text of what he had to say.

They evidently were impressed with his views about the public school system as well as with the intangible mood of the whole piece which could be gotten only by reading the entire effort.

However, the Senate was not impressed. This writer sat in the press gallery throughout the entire presentation and if there was a single solitary Senator except DICK RUSSELL listening to what TALMADGE was saying, this writer did not spot him even with a thorough search.

This fact dramatizes what ever southerner knows, that it is virtually impossible for the South to get a hearing up here unless a bill is actually pending before Congress in which the membership has a rapt interest.

This writer has now been in Washington more than 2 years and in that time has seen only one southerner get a hearing from the whole Senate on a civil rights matter. RUSSELL did it on July 2, 1957, with a speech showing the true effect of part III of the Civil Rights Act of that year.

[From the Moultrie (Ga.) Observer]

Georgia's Senator HERMAN TALMADGE, with other southern sponsors, has introduced before Congress the only realistic solution to the public school question which threatens to upset the equilibrium of democracy.

The proposed constitutional amendment would return the control of education to the intended sources—the States and local communities. Under provisions of the measure, which hit the congressional hopper this week with strong southern support, administrative control of the schools and educational systems would be vested in the State or

political subdivision which operates it. Thus, it would be a positive answer to the Supreme Court decision of 1954 in which the High Court assumed legislative prerogatives in interpreting the Constitution.

[From the Atlanta Journal and Constitution, Feb. 1, 1959]

EASTERN PRESS THREW BLANKS AT TALMADGE
(By Albert Riley)

WASHINGTON.—Southerners can hardly be blamed for feeling at times that any attempt to get the South's viewpoint on school integration into the northern press is an exercise in futility.

A frustrating case in point was Senator HERMAN TALMADGE's proposal last week for a constitutional amendment to end the race-mixing controversy by giving State and local governments exclusive control of their schools.

TALMADGE had given long and serious thought to this proposal. In fact, he did a lot of soul searching before he dared to present his plan to the Senate.

He well knew that some folks back home might criticize him for publicly admitting 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 tragic.

The junior Senator from Georgia, therefore, could scarcely be accused of submitting his constitutional amendment plan solely for home consumption.

TALMADGE is enough of a political realist to know that the chances of Congress actually adopting his amendment and submitting it to the 49 States are almost nil.

But he presented it in all seriousness to Congress—and the Nation—as the American way, the constitutional way and the commonsense way to resolve the issue and avoid further school closings in the South.

When eight other southern Senators agreed to cosponsor it and Senator RUSSELL endorsed it, this gave TALMADGE's plan added prestige.

TALMADGE's speech and his proposal got considerable attention from the radio and television networks. But, sadly, a large segment of the metropolitan northern press chose to ignore it, although working reporters in the Senate press gallery did not.

The wire services covered it, and so did 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 reveal a rather shocking omission * * * or at best a cavalier treatment * * * of a very serious proposal to solve one of the most divisive issues of our time.

Not all of the southern papers carried the story or gave it the 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 prominently, and of these only one—the New York World-Telegram—found it worth page one. Four other northern papers gave the story reasonable space but obscure locations inside.

This reporter, of course, could not see all of the editions of all the papers checked. But here is what the survey found in the Tuesday afternoon papers, to which 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 southern 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 home edition.

The Washington Daily News gave inside prominence to a civil rights controversy in Alabama but brushed the Talmadge proposal off with one paragraph.

The Washington Post and Times Herald, always quick to play up racial incidents in 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 head.

The New York Herald Tribune gave it a good ride—11 paragraphs under a two-column headline top 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 amendment.

In Chicago, the Tribune had a story on the Alabama case and a civil rights case in Americus, Ga., plus a story about a cross-burning 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 it in the edition checked.

The Baltimore Evening Sun likewise omitted the Talmadge story in its Tuesday edition surveyed.

The Baltimore Sun's morning edition of Wednesday also completely ignored the Talmadge proposal, but carried the Alabama and the Americus, Ga., stories on page 1.

The Philadelphia Evening Bulletin gave it seven paragraphs and a two-column head at the top of page 15.

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 Press did fairly well—five paragraphs at the top of page 4.

The Pittsburgh Post-Gazette had nothing, nor did the Cleveland News.

The Philadelphia Inquirer tacked 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 sardonically, 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]

SCHOOL CONTROL—TALMADGE WANTS ALASKA'S RIGHTS

(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 original 13 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 would like very much to have some of the special privileges which Congress gave

Alaska on its admission to the Union early this year.

The law which admitted Alaska gives that State perpetual and sole control over its schools and colleges.

The exact language of the act says:

"The schools and colleges provided for in this act shall forever remain under the exclusive control of the State, or its governmental subdivisions."

Mr. TALMADGE told the Senate that without meaning any disrespect for her sister State of Alaska, Georgia feels that she too is equally entitled to exclusive control of her schools and colleges.

This city, accustomed to paradoxes and anachronisms, merely raised its eyebrows and went its way without paying any regard to TALMADGE's point.

Asked about the matter of the Alaska proviso at his Wednesday press conference, President Eisenhower said he never heard of it and would therefore have no comment.

In attempting to check on how the exclusive control language got into the Alaska Act, the Atlanta Journal-Constitution ran into a blank wall.

The man who had the most to do with Alaskan statehood from the Washington viewpoint is former Delegate E. L. (Bob) BARTLETT. He was the Territory's nonvoting representative in Congress for many years.

He is now a Senator from the new State.

Senator BARTLETT's aid and assistant of many years says that the Delegate put the phrase in the statehood bills he introduced here because that is the way a statehood bill is written.

Many of the bills of the past had the proviso in them, the spokesman said, and who was Delegate BARTLETT to try to change tradition.

The first of the Bartlett bills to be seriously considered was in the 81st Congress (1949-51) and, sure enough, it contained the paragraph. The House approved the bill that year but Senator JOHN STENNIS, of Mississippi, sidetracked it in the Senate.

Senator BARTLETT'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, 1889, Congress passed enabling legislation which 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.

On July 3, 1890, enabling legislation for Idaho was approved and exactly a week later a bill was OK'd for Wyoming. Both enabling acts contained the exclusive control paragraph.

The same was true for Utah (July 16, 1894), for New Mexico (June 20, 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 was first used, a significance now forgotten by history. And a Congress which 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 class A snuff still adorn desks in the Chamber, although not a Member has used snuff since way back when.

The exclusive control language in the Alaska Act is regarded as of little importance by most of the Senators and Congressmen who voted for it.

Only the courts could say whether it is really significant and whether some of the newer States have rights which some of the old ones do not now enjoy.

It would take a first-rate constitutional lawyer to put the question to the courts in proper form.

[From the Thomasville (Ga.) Times-Enterprise, Jan. 1959]

TALMADGE PLAN HAILED

Georgia's junior Senator has introduced a plan which would give to the States the constitutional right to control their own schools and the plaudits of his fellow Georgians will be ringing in his ears for many a day if the early comments are a fair sample. His associate in the U.S. Senate was the first to praise the Talmadge constitutional amendment proposal and he did so as soon as his colleague completed his speech.

The bill which was introduced in a masterly address by HERMAN TALMADGE, in essence calls for a "constitutional amendment which would vest exclusive administrative control of public schools in the States and their political subdivisions."

Cosponsors of the measure are Senators BYRD and ROBERTSON, of Virginia; HILL and SPARKMAN, of Alabama; EASTLAND and STENNIS, of Mississippi; and JOHNSTON, of South Carolina. Senator RUSSELL, who makes it a practice not to cosponsor any legislation, told the Senate he commended and congratulated his friends and colleague for a very able presentation and associated himself with all that was said by TALMADGE.

The proposal would allow State and local governments to decide how schools should be operated and whether or not they would be integrated. TALMADGE noted that the Supreme Court's school decision is an accomplished fact and suggested that the only way its decision can be reversed is by the Court itself or by Congress or the people. In carrying the case to the people, TALMADGE has started 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 taken. Getting the bill onto the floor of the Senate will be difficult, getting it before the people who would then decide the issue on a sort of local option poll might be well nigh impossible.

To a great many astute observers it seems that the Senator's speech will receive a good deal more attention than will the legislative measure which he presented for consideration. TALMADGE's address to an uncrowded Senate has already drawn the most laudatory of comments from southern leaders and the tone and tenor of the speech may exert some influence on northern Democrats and Republicans who are not classed with the violently liberal groups.

Those of us who have heard the Senator at his best know how capable an orator he can be, and are aware of the wealth of study and time which must go into the preparation of his speeches. Perhaps this came as a surprise to some of the liberals who might even be shocked into a realization of the profound truths voiced by TALMADGE when he cited the irreconcilable division of opinion between the Court and the Southern States and pointed to the possibility of more schools being closed and a Federal venture into the education field which could have tragic consequences.

It is within the realm of possibility that the Georgian has struck a powerful blow for

the States rights advocates, who appear to be acting in a sound, dignified manner which cannot help but have some weight with the people of the Nation and the Representatives to the Congress.

[From the Americus (Ga.) Times-Recorder]

PRaise 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, presented a plan which would give to the various States the constitutional right to control their own schools, a right they enjoyed until 1954 when the U.S. Supreme Court legislated otherwise.

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 administration control of public schools in the States and their political subdivisions." Cosponsors of the amendment are Senators BYRD and ROBERTSON, of Virginia; HILL and SPARKMAN, of Alabama; EASTLAND and STENNIS, of Mississippi, and JOHNSTON, of South Carolina. Senator RICHARD RUSSELL, of Georgia, who makes it a practice not to cosponsor any legislation, told the Senate he commended and congratulated his colleague for a very able presentation and associated 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 is an accomplished fact and suggested that the only way its decision can be reversed is by the Court itself, by Congress or by the people. TALMADGE's plan of carrying the question to the people will undoubtedly be a long procedure, since constitutional amendment requires a tedious process to be passed through before enactment. Actually there appears to be very little chance of the proposal getting off the ground at this time, but it will serve a good purpose in causing many, many citizens of the country to give the matter serious thought.

The proposal may have a good influence on the radical northern liberal Democrats and some members of the Republican Party who have been clamoring for violent action on so-called civil rights.

We commend Senator TALMADGE on his masterful address and his statesmankind proposal to the Congress. He has struck a good blow for States rights.

[From the Cobb County Times, Marietta, Ga., Jan. 29, 1959]

A PROFOUND MESSAGE FROM SENATOR TALMADGE

Senator HERMAN TALMADGE's address before the U.S. Senate Tuesday was an eloquent presentation of the southern viewpoint. A masterpiece of reason and commonsense, it stands as a notable monument amidst the tremendous flow of opinion—verbal and oral—directed at the current school problem.

Were it only possible for every American citizen to read or hear the Talmadge address, there would assuredly be a new, deeper, and more sympathetic understanding for the South's plight. For while deploring the Supreme Court decision, the Georgia Senator has clearly accepted the credo that the rulings of the High Court amount to an accomplished fact.

With considerable clarity, the Talmadge address has painted a realistic appraisal of conditions that now exist. At the same time,

it peers into the uncertain future where public education teeters in delicate balance. The appalling consequences of a failure to reconcile differences are spelled out in unmistakable profundity. No paraphrase can do justice to the Senator's message. Here are his own words:

"The destruction of public education in an entire region of our Nation would be an unparalleled catastrophe. * * * The American concept of universal education, more than any other factor, is responsible for the greatness which this Nation has achieved. And it very likely may prove to be the determining factor in the outcome of our present life-or-death struggle with international communism.

"Yet, Mr. President, a realistic appraisal of the facts of the matter affords no conclusion but that [destruction of public education] will be the inevitable result of binding the citizens of the South in the chains of circumstance now being forged around them."

It is this prospect which prompted Senator TALMADGE to propose a constitutional amendment that would vest exclusive control of schools with the State and its political subdivision. There is not, of course, any likelihood that Congress will agree to clear the way for individual States to vote on the amendment. One can only surmise what the verdict would be under these conditions.

The Talmadge address is a declaration of the Deep South's opinion. By studying its message carefully, an objective individual can draw an accurate summation of the problem which exists. Applying the powers of reason to its extreme views on each side can only render a solution impossible.

With extremists appearing to dominate the national political scene, it would seem reasonable to transfer the decision to States for action on the Talmadge amendment. But since this constitutional remedy to a national dilemma is unlikely, the future of public education remains in the abyss of uncertainty and despair.

[From the Marietta (Ga.) Daily Journal, Feb. 4, 1959]

THE TALMADGE OFFENSIVE

The adroitness of Georgia's Senator HERMAN TALMADGE during the opening days of the new session of Congress is attracting widespread attention. Demonstrating a remarkable ability to latch on to the initiative and to play the offensive role, TALMADGE is creating an image that resembles an able field marshal more than a junior Senator.

In rapid order, within a week's period, he has (1) offered a constitutional amendment which would vest in the States and local government control of public school administration; and (2) presented a bill requiring judicial experience for future Supreme Court appointees.

The value of these two proposals should not escape perceptive observers. The South, for some time, has been in the defensive corner, badgered by the incessant moves of civil rights exponents. The Talmadge proposals have turned the tables, at least for the moment. It is now up to the extremists in the liberal camp to deny their logic and feasibility. In the process of doing so, it is TALMADGE's hope that Americans outside of the South will gain information which will make them more sympathetic to the southern problem.

Correspondence received today from the Senator outlines this strategy with great clarity. He writes:

"It is my thinking that those of use who believe in the southern way of life have been too long in a defensive posture. Our struggle is for the minds of people outside the South and it was with that point in mind that I offered my proposed amendment. * * *

"If we can get around the lockout of information imposed by various news media outside the South and reach people in other areas of the country with our message, I believe we can get them thinking in proper perspective and win their support for a reaffirmation of the time-honored tenet of local self-government."

TALMADGE's latest proposal to strengthen the Supreme Court by requiring judicial experience has a better-than-average southern chance for acceptance. Many legal minds outside the South are concerned about the lack of adequate qualifications for Supreme Court service. Examination of these facts presented by TALMADGE explain why.

Of the nine present Justices, only five have had judicial experience and one of these received his training as a police court judge.

With the exception of one Justice, none has had prior judicial service for more than 5 years.

More than half of the Justices did not previously devote their major efforts to the practice of law.

If civil rights should cease to loom as such a live political issue, the chances for approval of TALMADGE's court bill would be considerably enhanced. Even with this drawback, the proposal is likely to win strong support from legal authorities across the land. If these men of respected stature come forward, the ensuing debate could be both healthy and informative for the American public.

Perhaps such a debate will open more eyes to the South's plight. It is this possibility that lends significance to the TALMADGE offensive.

[From the Columbus (Ga.) Ledger, Jan. 29, 1959]

A WAY TO SOLVE SCHOOL DILEMMA

There's no shortcut to integration of the races in public schools. Little Rock is ample proof of this. So are schools in Virginia. This list will continue to grow as the school crisis deepens in the South.

This seems to be the recurring theme in Senator HERMAN TALMADGE's most eloquent exposition of the South's position. His plea is contained in a statement accompanying his proposed constitutional amendment which would assure States and localities full control over education.

The amendment would declare that administrative control of any public school, public education institution, or public educational system is vested solely in the State or political subdivision which operates it. It would need the support of two-thirds of Congress and three-fourths of the 49 State legislatures to become effective.

Senator TALMADGE's proposed constitutional amendment is, indeed, a way out of the South's dilemma. In 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 closings.

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 South and its educational plant to the 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 in the South to pile law upon law in a frantic effort to get around the Supreme Court ruling only to have them struck down as unconstitutional.

But, unfortunately, there, perhaps, will be little support outside the South for the proposal, even though there now seems to be some evidence that other areas of the Nation are beginning to take a second and more sympathetic look at the South's predicament in the school crisis.

There would be no problem, if one could, with the wave of a hand, change the hearts of men. But that, we know, is not the nature of man. It comes only through careful nurturing which, at one time in the South, was beginning to crack the hard crust of hate and prejudice.

The Congress and the Nation could very well find it in the country's interest to take a serious and prayerful look at the proposal which it has before it. Otherwise, the stampede which is sweeping the South along, could very well bring the walls tumbling down and lay waste to an entire section of the country.

[From the Columbus (Ga.) Enquirer, Jan. 30, 1959]

TALMADGE AMENDMENT WOULD SOLVE PROBLEM, BUT IT FACES TROUBLE

By presenting a proposed amendment to the Constitution of the United States, Senator HERMAN 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, 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."

It is beginning to look like a constitutional provision of this kind is going to be needed if a full measure of success is to be accomplished through continued resistance to integration.

It appears that this is Senator TALMADGE's view.

The Georgia Senator cited two points of view on the Supreme Court's antisegregation opinion. There are those, he said, who consider the decision to be the law of the land and who are determined to force its implementation regardless of the results. Senator TALMADGE went on to say that "there are others like myself who consider the decision to be outside the scope of the Constitution and who are dedicated to seeking its reversal by every lawful means."

Since there is no likelihood the two viewpoints ever will be reconciled, said Senator TALMADGE, "it is essential to the future welfare of the Nation that all citizens face up to the two incontrovertible facts of the situation." He listed them as follows:

"1. Regardless of whether one accepts it or not, the Supreme Court's school decision is an accomplished fact which will remain so until it is either reversed by the Court itself or is nullified or modified by Congress or the people; and,

"2. Regardless of whether one likes 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."

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 in 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 junior Senator asserted:

"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 the Georgian faces an uphill battle in his effort 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 steer a positive approach to the dilemma created by the Supreme Court's school segregation decision, and first examination of the plan he advanced today in the Senate provides a healthy contrast to the political opportunism that has been indulged in by the congressional "liberals" regarding the serious 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 expediency," and called for a return to basic concepts of our Nation as a means of solving a national problem that could pose a serious threat to our future well-being.

Appraising the current condition in regard to the school segregation decision, Senator TALMADGE stated these cold facts: "(1) Regardless of whether one accepts it or not, the Supreme Court's school decision is an accomplished fact which will remain so until it is either reversed by the Court itself or is nullified or modified by Congress or the people; and (2) regardless of whether one likes 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."

How to get out of this stalemate? Force won't do it. Federal control of education is not the answer. "Rearing a generation in ignorance is not the answer." The answer, Senator TALMADGE told his 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 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."

Senator TALMADGE has long been a staunch advocate of the principles of local self-government and local self-determination, and his amendment would reaffirm these principles in the light of modern pressures tending to weaken them. He refers to the very words of the Declaration of Independ-

ence that government derives its just powers from the consent of the governed, and views the Supreme Court decision as a refutation of this cornerstone of our freedom.

This newspaper believes that Senator TALMADGE may indeed be showing the way to a solution of the school segregation that would be compatible with the beliefs of all factions involved. For the future of education 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 speculate 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, would provide a means of assuring States and their subdivisions full control over public education. It would vest "administrative control of any public school, public education institution, or public education system" in the State or political subdivision which operates it.

The legislation, if passed by Congress and approved by the States, may be credited with averting a national catastrophe. For this Nation has been on the path to catastrophe for 5 years following the Supreme Court's perversion of our system of justice with a dictatorial order to integrate 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 counteracted in some way, we face the possibility of closing our public schools in Georgia and other Southern States. The very cornerstone 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 legislative branch of the Government to correct the grave error which has been perpetrated by the judicial branch. The Talmadge amendment is the channel through which this may be accomplished.

In a broader sense, the Talmadge amendment will serve to clarify our concepts of democracy. The Supreme Court has so disrupted the laws governing education that every school in the Nation is subject to the whim of the majority of the Court. The power the Justices wield today has all but destroyed our democratic system of checks and balances and the division of the Federal and State powers as established by the Founding Fathers.

Approval of the Talmadge amendment, which we strongly endorse, would not only provide the solution to the integration crisis, but would also serve to reaffirm our fundamental democratic beliefs.

[From the Savannah (Ga.) Morning News, Feb. 3, 1959]

ARE THE PEOPLE BLIND TO TYRANNY?

In Virginia this week Federal coercion finally brought about the enrollment of 21 Negro students in 7 public schools with a total enrollment of about 11,000.

The degree of saturation certainly will have little immediate effect on the overall educational program beyond the fact that it will probably be rather hard on the handful of Negro students who are being made the pawns of pressure groups. They constitute less than two-tenths of 1 percent of the total enrollment of the schools involved—thus creating a situation that has been termed "token" integration.

The significance of the Virginia case, however, far outweighs the rather small breach in the State's solid racial barrier in public schools, for it underscores the destruction of State sovereignty and local self-government.

It was not brought about by law.

The people of Virginia never voted to integrate their public schools racially—in fact, they voted almost solidly against it.

The Congress passed no law taking the control of schools away from the States and vesting it in the Federal Government.

The Constitution does not grant Federal jurisdiction over any phase of a State's operation of its public schools, nor did the writers of the Constitution and its amendments ever intend that any part of that document would be so construed.

The forcing of integration in Virginia was, instead, brought about because members of the Supreme Court declared that in their opinion the sociological aspects of racial segregation constitute a denial of equal protection of the laws as required by the 14th amendment.

Thus, the Court, in effect, amended the Constitution and wrote a new law without recourse to the people, in clear violation of the letter and the spirit of the 10th article of the Bill of Rights. Sentiment cannot change this fact. They set a precedent in judicial tyranny that contains the seeds that could destroy this Republic, for it affirms that in the opinion of the Court, government shall be of men and not of law. It is a precedent that could enable future Courts to hold any portion of the Constitution to men whatever current popular opinion favors so long as such findings are endorsed outside the Constitution by sociological or psychological studies.

The entire membership of the Supreme Court should have been impeached forthwith the day following their May 17, 1954, ruling.

But the people seeing the ruling as a source of temporary political advantage to themselves, or blinded by sectional hatred or perhaps apathetic, did nothing when the Supreme Court changed its motto from "I interpret the law," to "I am the law."

Senator TALMADGE last week introduced in the Upper Chamber a proposed constitutional amendment that would rectify the Supreme Court's folly and at the same time prevent certain irreparable harm from befalling the public school systems in many States of the South.

The amendment would simply spell out the fact that public education is the exclusive responsibility of States and their political 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 people at least entitled to vote on a constitutional amendment to provide uniformity in this matter?

The story of Senator TALMADGE's proposal was headlined on page 1 of newspapers throughout the South, and most of them gave it immediate editorial support. The New York Times the same day played the story in a single column on page 20 with the comment that the proposal was given no chance of passage in Congress.

Why is it that only the people of the South seem to recognize what is going on, and are ready to trust the judgment of the people by submitting the question to them in the form of a proposed constitutional amendment? This is a question those of us living in the South, who have friends living in other parts of the country, might well bring to their attention. It would help if

Congress started receiving some mail on the subject from places other than Dixie.

[From the Augusta Chronicle, Jan. 28, 1959]

A PRACTICABLE SOLUTION

Senator HERMAN TALMADGE, of Georgia—supported by Senators BYRD and ROBERTSON, of Virginia, Senator OLIN D. JOHNSTON, of South Carolina, Senators HILL and SPARKMAN, of Alabama, and Senators EASTLAND and STENNIS, of Mississippi—has proposed a solution to the problem of school integration that conforms to all of the requirements of justice, common sense, and constitutional law. He has proposed in the Senate an amendment to the Constitution of the United States vesting exclusive administrative control of the 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 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."

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 or a nonintegrated basis.

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 which is seeking to take over the administration of the Nation's schools. He has given recognition to the heretofore accepted principle that the people themselves, in the final analysis, are the ultimate authority in Government in the United States.

In presenting the proposed amendment in the Senate, Senator TALMADGE said that he spoke out for the voiceless masses—the schoolchildren—"who will suffer the drastic consequence of having the doors of the public schools closed in their faces."

In a masterly analysis of both the law and the current crisis, the Georgia Senator pointed out that there is an irreconcilable difference of opinion between those who would construe the segregation decisions of the U.S. Supreme Court as "the law of the land" and those who consider recent decisions of the Court to be outside the scope of the Constitution.

"Unless it is the wish of this Senate and this Congress," 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."

Federal bayonets are not the answer, said Senator TALMADGE, nor is rearing a generation in ignorance the answer.

Historians of the future, he said, will regard as one of the gravest and most costly mistakes of our Nation the decision of the Supreme Court to make judicial questions out of matters of human relations which the sum total of the experience of mankind dictates should be left to the orderly processes of evolution.

Adoption of Senator TALMADGE's proposal would pave the way for a solution of the problem in a peaceful, orderly manner. It would strip agitators of the power to force unwise action. It would free Governors, legislatures, and school boards for action in accord with local conditions and prevailing public opinion. It would, as Senator TALMADGE pointed out further, prevent destruction of the public schools of the South and would end for all time any threat from

any quarter of Federal control of education. It would create a basis of unity at a time when it is vitally important that the American people present a united front to enemies of the Nation.

The great question is, Will the Senate of the United States adopt Senator TALMADGE's proposal and thereby permit a peaceful solution of this disruptive issue?

As for Senator TALMADGE, he has long been a political leader of outstanding ability, but his wisdom in working out such an acceptable solution to the segregation issue entitles him to move up into the statesman class.

[From the Augusta Chronicle, Feb. 1, 1959]

LET THE PEOPLE DECIDE

The Chronicle definitely does not think the school systems of our States should be run by a Supreme Court school board in Washington.

The Chronicle believes that Senator HERMAN TALMADGE, of Georgia—in his suggested amendment to the U.S. Constitution by which the integration crisis can be settled justly—has offered a plan that is feasible and right from every standpoint.

The Chronicle also realizes that, in all probability, it will be very difficult for Senator TALMADGE and the distinguished co-sponsors of the bill to secure its passage by Congress. The bill, we know, will be strongly opposed by the so-called liberals whose every action has indicated that they are not concerned about either the rights of the South or the well-being of the Nation.

Because of this, Senator TALMADGE and other southern Senators and Representatives need all the help they can get from the people in bringing pressure to bear on Congress for the passage of the bill. Senator TALMADGE has called upon the people of the Nation to let Senators and Congressmen know how they feel about this proposed amendment, which offers the only reasonable and peace-producing solution to the problem created by the U.S. Supreme Court and Federal interference from Washington.

Through the proposed amendment to the Constitution Senator TALMADGE seeks to vest exclusive control of all public schools in the people themselves, with each State and local community exercising the right to operate its school system in keeping with the expressed wish of the people in the respective States.

Senator TALMADGE, himself, in his speech presenting the proposed amendment in the Senate and in an address at the annual dinner of the Association of Cotton Textile Merchants of New York, has declared that he had an "abiding faith in the reason, good judgment, and commonsense of the great American Public." He has reaffirmed the principles of government laid down by 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 derives its just powers from 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 write to their Senators and Congressmen demanding that their representatives in Washington give them the right to render a decision on such a crucial issue.

To make such a letter-writing campaign fully effective it is necessary to reach not only Southern Senators and Representatives but as many of the Senators and Representatives from other States of the Union as possible.

The Chronicle suggests, therefore, that every citizen write not only to southern

Representatives in Washington but that letters be sent to friends in all parts of the country explaining the wisdom of the Talmadge amendment and asking them to cooperate in securing its passage by writing to their own Senators and Congressmen.

This will entail some effort on the part of individual citizens.

But, remembering how the soldiers of the American Revolution left their footprints in blood on the snow at Valley Forge, is it asking too much from those who have enjoyed the freedom won by those 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?

Send those letters into Washington by every means at your command. Give Senator TALMADGE the support he needs.

[From the Augusta Herald, Jan. 29, 1959]

TALMADGE'S SCHOOL CONTROL ADDRESS MASTERLY EXAMPLE OF STATESMANSHIP

Historians of the future, Georgia's HERMAN TALMADGE has told his fellow U.S. Senators in proposing a way to solve the integration crisis, "will record as one of the gravest and most costly mistakes of our Nation the decision of the Supreme Court to make judicial questions out of human relations."

And by the same token, the Herald believes, historians will recall Senator TALMADGE's speech as one of the most masterly 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 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.

After saying that a realistic appraisal of the facts of the matter affords no conclusion but that Southern schools will continue to close, TALMADGE stressed, that it was time that someone spoke out "in behalf of the voiceless masses who will suffer the consequences of this rash action."

And speak out he did. "This critical juncture in our national life," he said, "is no time to permit divisive issues to rob the minds and talents of a great segment of our youth by closing the public schools in their faces."

"From their standpoint there is little difference between those who would destroy public schools with bombs and those who would close them with court orders."

To those who insist that compliance with court orders be compelled by Federal force, the Senator cited the "disastrous consequences" of such an attempt at Little Rock, and added:

"Federal bayonets are not the answer."

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, in the next breath, that southerners find the decision unacceptable and do not aim to change their opinion any time soon.

TALMADGE's voice most surely was the voice of calm reason, but the crucial question, of course, is whether Congress is yet ready to listen to reason of any kind on the issue.

Somehow, the Herald fears against its wishes, the Nation's lawmakers, either for political opportunism or sectional spite, or for both, are not disposed to view the situation sanely—and that what is virtually a cold war

between the North and the South will continue its perilous trend.

Be that as it may, historians of the future probably will record TALMADGE'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 most Southerners—and others who are interested in self-government and having a voice in the laws that are made—that Senator HERMAN TALMADGE's amendment proposal vesting exclusive control of all public schools in the States themselves will have rough sledding.

There are too 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. We can think of no better way to establish what the people really think than by doing exactly what he asks.

This amendment could well be the only solution to an educational problem that was born of political scheming and nursed by irresponsible radicals until it has grown into a full-size monster.

Let your Congressmen know how you feel about the Talmadge amendment. The Herald is for it 100 percent.

[From the Augusta Herald, Feb. 1, 1959]

ALASKAN CLAUSE ON EDUCATION AUTHORITY MAGNIFIES TALMADGE'S BILL EVEN MORE SO

President Eisenhower—quite unwittingly, we are sure—has publicly put his finger on the crux of the trouble insofar as the Nation's school integration problem is concerned.

When asked to comment on Senator HERMAN TALMADGE's speech notation that the Alaskan Statehood Act contained a provision guaranteeing them complete control of their own educational system, the President seemed flabbergasted. Alaska, under its own terms, is guaranteed perpetual control of its classrooms and systems.

The provision read: "The schools and colleges provided for in this act shall forever remain under the exclusive control of the State, or its governmental subdivisions."

But although the President signed the Alaskan Statehood Act into law, after presumably reading over and studying its clauses—or at least being briefed on them by responsible aids—he now indicates he was ignorant of such a provision.

"Well, you are opening up a question," he told reporters at a news conference this week, "a matter that I have not even heard about * * * 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."

He didn't know.

No wonder, then, that he declined to comment on TALMADGE's proposed constitutional amendment which would invest the same authority in the other 48 States. That amendment, of course, is one of the hottest potatoes to come out of Senate legislation in many a day. President Eisenhower, you may be sure, won't be caught off base by commenting on it. Not when it affects the now infamous Supreme Court ruling of May, 1954.

The trouble that has grown out of that ruling could have been minimized, it seems to us, if the President had been more familiar with the facts before acting in certain drastic situations.

Little Rock could have been avoided.

As a matter of fact, much of the outraged indignation of southerners would have been avoided had not Federal troops been ordered into the Arkansas capital. The 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 approve, favoring a constitutional amendment, until I had studied and looked at it."

That is the usual procedure for Chief Executives—studying the proposal or bill before signing or committing himself pro or con.

It is unfortunate that President Eisenhower has not always followed that procedure. 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 northern land were not so eager for statehood 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 want no Little Rock in Anchorage or Fairbanks.

Bearing 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 TALMADGE SPEAKS PLAINLY

In the angry-hot jumble of words and deeds which have attended the deepening social crisis precipitated by the public schools 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 his generation in this State, the Senator assessed the "two incontrovertible facts of the situation" in this plain fashion:

"1. Regardless of whether one accepts it or not, the Supreme Court school decision is an accomplished fact which will remain so until it either is reversed by the Court itself or is nullified or modified by Congress or the people; and

"2. Regardless of whether one likes 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."

The issue, then, is starkly joined—and at ugly impasse. It begs for relief—not the "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 Government command of education. For, as Senator TALMADGE was perceptive to observe, the "solution" of Little Rock spells disaster for democracy in tragic human 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 and Communist Russia to control education at the national

level." As for a third alternative, that of inaction 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 expediency."

What, then, is the answer to this plaguing dilemma? First, in Mr. TALMADGE's estimation, the issue must be resolved "on a realistic, constitutional basis." This belief is the essence of statesmanship of the highest order. It rejects such unconstitutional avenues as evasion, pigheadedness and mob rule. At the same time, it admits that no "one man, one legislative body or one court could devise a comprehensive answer which would cover all situations and meet all contingencies inherent in the present controversy." Still, history does point a way—fully constitutional and legally equitable—out of the quandary. It is grounded "in the recognition of the fundamental fact that public schools in the United States are local institutions which have been established and are operated and financed by local people on the local level." Here the Senator speaks as much as the capable lawyer that he is as an elected representative who fully comprehends the needs and moods of his own people. The Supreme Court itself supported his general thesis in ruling constitutional the Alabama pupil placement law, a decision that clearly delegated to the several States a definite area in which they and they alone may operate as they see fit to conduct their own affairs, relating to the educational process, so long as no citizen is denied his constitutional prerogatives because of race or creed.

So it is with legal as well as moral support that Mr. TALMADGE proposes that the Congress of the United States adopt a constitutional amendment "freeing the Governors, legislatures and school boards of the individual States to deal with each situation in the light of its own peculiar circumstances and in accordance with prevailing public opinion. That way lies 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."

In essence, Senator TALMADGE's constitutional amendment would allow those schools to integrate the races where the constitutional "consent of the governed" sanctioned a change in the community social order, but, importantly, would permit other schools to remain segregated on the traditional "separate but equal" basis if the administrators of these institutions and the public will so ruled.

What Senator TALMADGE espouses is uncontestedly democratic—submission of the issue to the people, through their elected representatives in the Congress and the several States, for a local determination, with two clear alternatives open to them: Segregation or integration. To this end, his constitutional amendment reads:

"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 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."

Surely this is, finally, the voice of sanity in an hour of unreasonable and unreasoning emotions. Surely this is justice and fair play for all Americans of whatever racial or religious origins. Surely this is the American tradition operating in its highest and

best sense. In the Senator's own words, his amendment "offers a constitutional solution to a national dilemma which is compatible with everything that is American and affords the one way 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 present and future generations of American youth."

We congratulate Senator TALMADGE for both the agonizing thought and wrestling of the spirit which he so obviously devoted to one of the most cogent addresses of our memory in the U.S. Senate. We commend his constitutional amendment to the fair-minded judgment of the Senate, the House of Representatives and the legislatures of the 49 States. It is our sincere belief that this outstanding Georgian has, indeed, lighted a path for the Nation through the thick tangle of bias, misunderstanding, and tortured legalisms which are threatening to close the door on America's great 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 several proposals which are well in advance of the thinking of a host of less thoughtful people. His objectives will not be gained immediately, though there is no good reason why they should not be recognized as desirable goals. His proposed constitutional amendment would place all public education completely under control of the States.

And in the words of thousands of local celebrities (there is at least one in every city, town, village, and farm community) "there ought to be a law"—to compel the Supreme Court of the United States to respect and abide by its own decisions.

When that Court handed down a decision long before segregation-integration had become 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 important matter had been disposed of.

Our highest Court had spoken, and its decisions 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, in an opinion written by its Chief Justice, made the astounding statement that it had been guilty of an earlier mistake. Separate but equal schools were not enough. Pupils of all colors must sit together in the same schools. Perhaps the same rooms. Under the same teachers.

This now is the law, said the High Court. And the other Federal courts are passing along the word.

We need something that will make Supreme Court decisions stick, so we can know.

[From the Macon Telegraph, Jan. 28, 1959]

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 sense of urgency because of the crisis in public education.

Mr. TALMADGE's suggestion for amendment is not new. Congressman CARL VINSON and others have likewise proposed amendments, realizing that in the final analysis, 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 junior 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 realistic appraisal of the facts of the matter affords no conclusion but that that will be the inevitable result of binding the citizens of the South in the chains of circumstance now being forged around them.

"And the real losers of such an eventuality unfortunately will be those who will have the least to say about it—the schoolchildren of the South and their parents.

"With the exception of seeking the salvation of his immortal soul, man has 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."

Mr. TALMADGE is hopeful that men of good will outside the South will see the impending calamity and will support his amendment for the good of the Nation as a whole.

Like most of us, he recognizes that two diametrically opposing views are destined for a head-on crash unless some solution is reached. He believes this solution lies in local self-determination, based on the peculiar locality.

The Talmadge amendment would specifically save to the individual States and political subdivisions the exclusive right to determine 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 counting on the national concern over the very 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, HERMAN 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:

"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."

The South being a minority, in the Congress and in the Nation—both of which must approve for the amendment to become law—Talmadge's proposal may prove futile. But it is a magnificent move.

It is magnificent because it courageously faces up to two diametrically opposed facts: (1) The Supreme Court has said segregation is unconstitutional and the decision is not going to be changed; (2) the people of the South will close their public schools before 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, he realizes what a tremendous 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 integrated or segregated schools by placing administrative control of public schools exclusively in the hands of the States and their political subdivisions.

He terms it a "commonsense" method of ending the bitter and tragic school controversy. That it is. And it is in the American tradition of local self-determination.

TALMADGE 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 Congress would first have to approve the proposed amendment. This is unlikely. Even if it happened, three-fourths of the legislatures of the 49 States would have to approve, and this is even more unlikely.

But Senator TALMADGE has spotlighted the problem. He has shown there is a way to resolve this heartrending conflict. He has put the prointegrationists on the defensive. By becoming the first prominent southern Senator to publicly recognize the easily recognized—no matter how distasteful—point that the desegregation decision is an accomplished fact, Senator TALMADGE has done his people a great service. He has done this by stating what is the truth.

The proposal is no idle gesture on TALMADGE's part. He will take his campaign for the amendment to New York City tonight. He speaks at the annual banquet of the Association 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 an education.

[From the Rome News-Tribune, Jan. 28, 1959]

SENATOR TALMADGE'S COURAGEOUS EFFORT

Senator HERMAN TALMADGE, proposing an amendment to the United States Constitution which would restore administrative control over public educational systems to the State or unit of local government which operates them, performed one of the most significant acts of statesmanship in the history of the Senate.

In introducing his proposed amendment, which also explicitly gives to the residents of a State or subdivision the right to determine for themselves how they want their schools administered, Senator TALMADGE drove to the heart of the present public school controversy. He said the Supreme Court of the United States has tried to make itself "a super board of education, superior to the Constitution, to Congress, and to the consent of the people."

The Senator from Georgia clearly exposed the terrible dilemma in which the South finds itself today. Like it or not, he said, the Supreme Court decision is "an accomplished fact which will remain so until it is either reversed by the Court itself or is nullified or modified by Congress, or the people."

Opposing this fait accompli, he pointed out, is the fact that the "overwhelming majority of the people of the South will neither accept nor submit to the forced implementation of that decision."

Senator TALMADGE said the real losers in the current situation are the schoolchildren of the South and their parents and he added that Federal bayonets, Federal control of education or a generation of ignorance are not the answer to the problem.

What fate awaits this effort to restore control of education to the people and their elected representatives? It must be approved by a two-thirds vote in both Houses of Congress and then be ratified by the legislature of three-fourths of the States to be effective. That is a long and difficult road for such a measure in this day of "liberal" kow-towing to pressure groups and blind obedience to the doctrine of central government.

We cannot help but feel that, if Senator TALMADGE's proposal makes its way successfully through the Congress, it can win a favorable reception from the people of the United States through their elected legislatures. Many, many of them, outside the South, have recognized the inherent danger in Federal dictatorship over the system of education and, consequently, the minds of future generations.

The junior Senator from Georgia has made a courageous and thoughtful effort to place this issue back where it belongs—in the hands of the people, not a five-man appointed tribunal.

[From the Griffin Daily News, Jan. 28, 1959]

AMENDMENT ON LOCAL CONTROL

Eight southern Senators have proposed a U.S. constitutional amendment that would give States and their subdivisions full control over public education.

Senator HERMAN TALMADGE introduced the measure Tuesday which was cosponsored by seven other Dixie Senators.

The amendment would have to be approved by two-thirds of both Houses in Congress and be ratified by three-fourths of the States to take effect. It was offered as the constitutional way of "reason and commonsense."

The bill is a move on the part of southern leaders to avoid wholesale school closing in the South.

As Senator TALMADGE put it, Federal bayonets, Federal control of education, or a generation of ignorance is not the answer.

Like it or not, he said, the Supreme Court decision is an accomplished fact which will remain so until it is either reversed by the Court itself or is nullified or modified by Congress or the people.

The proposed constitutional amendment seems to be a step toward the later alternative.

[From the Griffin Daily News, Feb. 2, 1959]

THE CASE FOR LOCAL CONTROL

(By Bill Knight)

Senator HERMAN TALMADGE 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 courts and place it where it rightfully 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 four companion measures to the constitutional amendment.

The measures will include bills to—

1. Prescribe minimum qualifications for Justices of the Supreme Court of the United States.

2. Withdraw the jurisdiction of the Supreme Court of the United States and U.S. 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. Require the Supreme Court of the United States to accord a full hearing to all parties before acting upon any lower court decision.

The constitutional amendment proposal with the four companion measures is a positive approach. It sets down specific measures which would tend to prevent mass closing of public schools in the South.

After Senator TALMADGE had called for the constitutional amendment last week, he followed it up quickly by pointing out that the newest State in the Union, Alaska, was 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 remain under the exclusive control of the State or 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 TALMADGE has a strong argument here for State and local control of public schools. If Alaska has a right to administer its schools as it sees fit, then why shouldn't every State in the Union have the same right?

While Senator TALMADGE 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 TALMADGE are surely headed for a collision in Congress. The outcome is unpredictable.

One thing is certain, however. The South under the leadership of Senator TALMADGE and other champions of States rights is going into battle with a positive program 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 segregation decision of the Supreme Court, it is time for us to say what we propose to do.

This is the essence of the Talmadge program.

In introducing his constitutional proposal, the Georgia Senator said the real losers in the current situation are the schoolchildren of the South and their parents.

"It is time that someone spoke out in behalf of the voiceless masses who will suffer the consequences of such rash action * * *," he declared.

With his program, Senator TALMADGE is doing just that.

[From the Griffin Daily News, Feb. 3, 1959]

GOOD EVENING

(By Quimby Melton)

"How can I help Senator HERMAN TALMADGE put over his plan, to amend the Constitution so that every State shall control its school and colleges?" a friend asked.

For he, like many others, believes that Senator TALMADGE 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 are in full approval of the Talmadge plan. Neither will it do any good to write

to other southern Congressmen and Senators, for they, too, are all for the Talmadge amendment.

We also know that this proposed amendment will not be passed by the Congress unless a lot of Congressmen and Senators from other States "see the light."

And they will only "see the light" when their constituents let them know that they approve this proposed amendment.

So let's all get busy and write personal friends who live in Northern, Eastern, and Western States. Let's write them a friendly sort of letter, telling them what we think of this amendment and asking them to write their Congressmen, if they agree with us.

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 their thinking.

Following our advice to this friend, we are writing personal letters to friends in California, Michigan, New York, Illinois, Massachusetts, Rhode Island, Maryland, Oklahoma, and Missouri. We have made a list and intend to write 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 might be wise for various civic organizations to act 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 not canned letters, can have 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 TALMADGE has opened the way for us to solve our school problems. But he needs the help of every person who believes with him, that the individual States have certain rights that should never be surrendered.

So, if you want to back up HERMAN TALMADGE, sit right down and write a letter to a friend and point out the fact that he or she should be just as interested in solving the problem, as you.

May we suggest that anyone who is willing to do this send Good Evening a card saying how many letters he or she has written and to what States they went.

[From the Journal-Herald, Jan. 28, 1959]

TALMADGE HAS PLAN ON SCHOOLS

Senator HERMAN TALMADGE, 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 the Georgian said in a speech before the upper House, is the vesting of exclusive administrative control of public schools in the States and their political subdivisions.

As usual, TALMADGE made a masterful presentation of the case for Georgia and the South. Whether his talk will gain new adherents for our cause remains to be seen but his remarks reflected sound reasoning.

He said there are two incontrovertible facts in today's school integration situation.

First, that the Supreme Court's school decision is an accomplished fact and, second, that the majority of the people of the South will neither accept nor submit to the decision and "there is no prospect of any

change in that position within the foreseeable future."

In proposing his amendment, TALMADGE said the way out of the present trouble lies in the recognition of the fact that public schools in the United States are local institutions.

He urged that local school patrons be permitted to determine for themselves the manner in which the schools shall be administered.

The Senator said Little Rock has shown that Federal bayonets are not the answer. Neither, he told the Senate, is Federal control of education.

"To those who advocate inaction and who would sit by idly and snugly 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."

In agreeing with Senator TALMADGE we would point out that control at local level should mean just that. State laws which lay down a blanket policy for local systems threatened by integration, like Federal laws, tie the hands of school patrons who know their own problems best.

The battle to preserve segregation is, as Georgia's junior Senator says, rightly a matter to be handled by the people who are directly affected.

[From the Fitzgerald (Ga.) Leader, Feb. 5, 1959]

CONSTITUTIONAL WAY

Senator HERMAN TALMADGE again has shown his great potential for statesmanship in the introduction last week of his proposal for an amendment to the U.S. Constitution which would clearly place administration of public school systems directly under control of the State or subdivision which operates them.

In doing so Senator TALMADGE recognized the "accomplished fact" of the Supreme Court school decision on the race issue, while emphasizing the South's determination "neither (to) accept nor submit to the forced implementation of that decision."

His exposition of views, and his constitutional remedy for the impasse, comprise an argument which at least has a chance of acceptance outside the South. And regardless of the high-flown words of politicians, or the muddle of evasive laws which have been proposed, no plan to preserve segregation in the schools is going to be effective in the long run unless it has acceptance in other parts of the Nation.

George Washington warned in 1796 that "the Constitution which at any time exists till changed by an explicit and authentic act of the whole people is sacredly obligatory upon all."

He also urged the promotion, "as an object of primary importance" of institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened * * *

The junior Senator from Georgia probably said it better in his remarks before the Senate last week:

"With the exception of seeking the salvation of his immortal soul, man has 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. The American concept of universal education, more than any other factor, is responsible for the greatness which this Nation has achieved."

In other parts of his Senate speech the Georgian could have been paraphrasing the first President of the United States.

In his Farewell Address, which attached as much importance to domestic problems as to his more widely quoted advice on foreign policy, Washington said:

"The basis of our political systems is the right of the people to make and alter their constitutions of government."

TALMADGE said:

"It (the proposed amendment) offers a constitutional solution to a national dilemma which is comparable with everything that is American and affords the one way 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 present and future generations of American youth."

Washington said:

"It is important * * * that the habits of thinking in a free country should inspire caution in those entrusted with its administration 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 said:

"It is basic in organized society that the rights and wishes of the individual must be subordinated to the dictates of public opinion and the requirements of public interest. And it would be well for members of all three branches of Government * * * to reflect upon the fact that the source of all law is the people and that laws and court decisions are enforceable only to the degree that they conform to the consent of the governed."

TALMADGE's position does not lack some appreciation outside the South.

"This is a straightforward way to press a view," one eastern newspaper commented. "Some may object that it has no chance of succeeding. But certainly it has more chance of winning support from reasonable men than do efforts to obtain reversal by smearing and undermining the authority of the courts."

Actually, the amendment could have implications beyond the school issue for which it is designed.

The language of the proposal would prevent denial to residents of any State or subdivision "the right to determine for themselves the manner in which any such school, institution, or system is administered by such State and subdivision."

Already there has been some debate on whether this means the control of schools shall be exclusively in the State, or also in the local (community) subdivisions.

Should the amendment be submitted to the people and adopted in its present language, and if it is determined that control of the schools shall remain at the State level, there might be required a review of the meaning of the controversial 10th amendment involving reservation of powers "to the States respectively, or to the people."

TALMADGE, in his Senate remarks, took note that there are some who "for selfish reasons" would prefer to keep the school issue unresolved.

But he urged the Congress to 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 local people."

TALMADGE talked to the Senate in national, not sectional, language. Regardless of the outcome, that is the only kind of talk that has a chance of success on this issue.

[From the Wiregrass Farmer, Feb. 5, 1959]

SENATOR TALMADGE SPEAKS WISELY ON SEGREGATION

Senator HERMAN TALMADGE's sane and thoughtful plan to salvage the South's pub-

lic school system and prevent bloodshed over impending efforts to integrate schools may have fallen largely on disinterested ears.

It is a shame and a discredit to the U.S. Congress that our National Congressmen and Senators may be so prejudiced against a southerner's voice that the constitutional amendment proposed by Senator TALMADGE will gain little serious consideration.

But the plan introduced in the U.S. Senate by the junior Senator from Georgia is by far the nearest to a way of reason and common-sense in solving the dilemma in which this Nation finds itself—torn asunder in much the same way that differences divided the Nation in days preceding the Civil War.

Senator TALMADGE's proposed amendment which would be submitted to the States for ratification or rejection if Congress approves it reads:

"Administrative control of any public school, public educational institution, or public education system operated by any State or 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."

In a speech accompanying the introduction of his proposal, Senator TALMADGE said that under such a constitutional provision the citizens of each State and subdivision would be left free to determine for themselves—in accordance with local conditions and procedures and attitudes—how and when their schools would comply with the U.S. Supreme Court's school decision.

This is a major change in the approach of the South toward the school integration crisis. For once a southerner is facing facts. For years now, our political leaders have been crying about the injustice, the legal incongruity, and the personalities behind the Supreme Court's decision calling for abandonment of separate but equal schools. Their tears, threats, and tantrums have amounted to nothing. The Supreme Court is not going to reverse itself. The decision has been made, and the South's only hope is to find a way to avoid being forced by tanks and bayonets to mix the races in the schools.

"Such a provision," the Senator declared, "would prevent destruction of the public schools of the South and would end for all time any threat from any quarter of Federal control of education. Such a provision would assure uninterrupted instruction for all children regardless of their color or place of residence.

"Such a provision would permit either retention of the status quo or orderly change as dictated by the requirements of public opinion and make certain that whatever change might take place would be by the constructive process of evolution rather than the destructive process of revolution."

Here is the crux of the Talmadge proposal and the wisest thing a Georgian has had to say on the entire chaotic question of school integration.

TALMADGE conceded that the course he advocated "will not be acceptable to those who wish to further their own partisan ambitions by punishing the South or to those who prefer for selfish reasons to keep the issue unresolved."

"Unless it is the wish of this Senate and this Congress 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 in the light of the facts.

"To those who insist that compliance be compelled by the Federal force, I would point out the disastrous consequences on such an attempt in Little Rock, Ark. Federal bayonets are not the answer.

"To those who would have the Federal Government finance and operate the schools of the South, I would point out the abhorrent results we have witnessed in our lifetime from the attempts by Nazi Germany and Communist Russia to control education at the national level. Federal control of education is not the answer.

"To those who advocate inaction and who would sit by idly and smugly 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."

These 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. But 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 sound. Although the Founding Fathers intended for education to be handled by the several States, they failed to spell it out by prohibiting this function on the part of the Federal Government.

The proposal will take a two-thirds vote of the Senate and the House, and could 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.

Now, however, few persons will deny 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 give the several States the responsibility of education, and to stop forever the conflict between Federal and State Governments on this vital matter.

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 Thomaston Times, Jan. 29, 1959]

SENATOR TALMADGE MAY HAVE SEED OF IDEA THAT WILL 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 Thomaston and the Thomaston Board of Education and 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 Congress and the country 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, reasonable and sincere presentation Senator HERMAN TALMADGE has offered a constitutional amendment that if passed and ratified by two-thirds of the States would "vest exclusive administrative control of public schools 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 from Senator 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 with devastating effect into any and every other State.

He recognized the Court's decision as an "accomplished fact" whether we like it or not. He recognized the enormity and the peril of the problem it has created. In seeking a solution he very forcibly argued that Federal bayonets were not the answer, that using children as pawns of political expediency was not the answer and that rearing a generation in ignorance is not the answer. Neither is defiance the answer. The only answer is to be found in the American way, the democratic way, the legal way which is and in America has always been by the consent of the governed. The ratification of his proposed amendment would be the solution.

In the Senator's masterly presentation of his proposal he showed his real stature as a man with unbounded respect for law and order, a man with an intense devotion in the future of America, a great Georgian and a magnificent American. Come what may of his proposal nothing can detract from these superb qualities that have been so clearly shown by his action. Georgia is proud to hail him as her son. The South is honored to have him as her champion. The entire Nation will recognize in him a really true and great American. What a vivid contrast the logic, the reasoning, the sincerity and the brilliance of political integrity in this man as compared to the political ballyhoo of some others. What a marked difference there is between the sincere Americanism of Mr. TALMADGE and the political perfidy of some others.

Again we congratulate the Senator. The vast majority of the people of Georgia deeply appreciate his efforts to solve this critical problem by a realistic and constitutional approach. If there be a solution, we believe that what he has proposed is it.

[From the Nashville (Tenn.) Banner, Feb. 10, 1959]

ASKS BACKING OF TALMADGE AMENDMENT (By Mickey McLinden)

The State legislature today received a strongly worded resolution which urges congressional support of Georgia Senator HERMAN TALMADGE's amendment which would place control of school affairs exclusively in local hands.

The companion resolutions were introduced in both the State house and senate by the Shelby County delegation.

Specifically, it urges Tennessee's congressional delegation to support TALMADGE's proposal which would amend the Federal Constitution so that 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 of local control of local affairs was honored in this Nation until the judicial trespass in 1954 by the U.S. Supreme Court."

The judicial trespass referred to was the High Court's action in May 1954, in 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.

OTHERS JOIN TALMADGE

The resolution points out that seven other U.S. Senators have joined TALMADGE in his proposed constitutional revision to protect the rights of States and local governments in this important area (of public education).

Shortly after TALMADGE introduced his proposed amendment, President Eisenhower was asked at a news conference if he would favor such a revision.

The President told a Banner staff writer, Frank Van Der Linden, in response to the question that he would have to study the proposal before commenting.

Van Der Linden has reminded the President that the Alaskan Statehood Act gave the new State the exclusive right for perpetual control of its school system.

The President said he did not know Alaska had such a right.

SHELBY RESOLUTION

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 and of each State is the responsibility of the States individually, and should be subject in all particulars exclusively to State and local jurisdiction; and

"Whereas Senator H. MAN 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

"Whereas this principle of local control of local affairs was honored in this Nation until the judicial trespass in 1954 by the United States Supreme Court; and

"Whereas the proposed Talmadge amendment seeks neither segregation nor integration in the public schools, but would leave each State free to make its own decisions in this regard; and

"Whereas seven Senators from our sister Southern States have joined Senator TALMADGE in his proposal to protect the rights of States and local governments in this important area: Now, therefore, be it

"Resolved, That this 81st General Assembly of the State of Tennessee express by resolution its sentiment strongly in favor of the amendment to insure local control of local affairs and that it memorialize the Tennessee delegation to the Congress to exert its best efforts in behalf of the proposed amendment; be it further

"Resolved, That copies of this resolution be forwarded to Senator HERMAN TALMADGE with our thanks for his leadership in this important undertaking and to the Tennessee congressional delegation with our urgent request for their support."

[From the Tampa Tribune, Feb. 8, 1959]

INTERPOSITION THEORY LAID TO REST BY
GEORGIA SENATOR

(By James A. Clendinen)

The loud collapse of massive resistance in Virginia a few days ago muffled another significant sound in the South: the soft thud of the interposition theory being laid to rest.

And no less a person than Senator HERMAN 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 legislatures denounced the Supreme Court's desegregation 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 v. Board of Education* 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 State and Federal Governments. It did, at Little Rock. And the Federal Government won then, as it did in 1865.

Interposition, as a practical means of defeating integration, fell mortally wounded at Little Rock. Interposition, as a legal 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 that the Court decision, having 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 Supreme Court's school decision is an accomplished fact which will remain so until it either is reversed by the Court itself or is nullified or modified by Congress or the people.

"And regardless of whether one likes 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 in the foreseeable future."

Therefore, he said, to prevent the South's public school system from being destroyed, it was the duty of Congress to adopt a solution "compatible with American constitutional concepts." That, he said, was a constitutional amendment vesting control of public schools in the States.

Even the Senate liberals who violently oppose segregation can hardly quarrel 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. The first time was in 1798, 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 Congress where 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 schools as they please.

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 frown on the Senator from Georgia. But James Madison, the "Father of the Constitution," would bestow his benediction. For Madison said of the interposition-nullification doctrine that to give a minority of States such power to interpret 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 Virginia's 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 right and left.

Current dispatches from New York and Chicago indicate that this just is not so.

Here is an Associated Press item from New York City quoting the New York 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 executive director of the New York Commission on Intergroup Relations (that means force-em-to-mix) concedes that "discrimination does exist in New York City's housing supply and this discrimination runs the gamut of types and costs of housing."

It is noteworthy at this point to call attention 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 of the South's policies and practices were 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, whence they operate.

This is the rankest kind of discrimination—but it is the kind of attitude that has dominated TV networks, national magazines, and even the wire services for many, many years.

They, egged on by the bigots in New York City, try to damn the South, but they neglect to tell the story of New York City.

On the very same day came another Associated Press dispatch from Chicago which said: "Chicago is more racially segregated now than at any time in its history." State Treasurer Joseph D. Lohman says:

"Lohman, a former professor of sociology at the University of Chicago, said more than 70 percent of the Negro people live in neighborhoods which are 95 percent Negro. About 20 years ago such neighborhoods had a far greater mixed population, he added."

From this it may be indicated that while Earl Warren's decrees 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 overturned.

Then there was the celebrated "noble 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 congressional acts was overturned by due process.

That took more than 15 years to accomplish, but it was accomplished.

If it takes the same length of time to undo the Warren decrees, that would mean that forced integration will be out the window about 1969, or 15 years after the first decree on forced integration in the schools.

A slender start in this direction has been made by Senator HERMAN TALMADGE 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 Tallahassee Democrat in a supporting editorial Sunday) view this effort as "forlorn," but it is going in the right direction.

We will have more segregation before we get less of it.

[From the Chattanooga News-Free Press, Jan. 28, 1959]

SOUND, BUT FOREDOOMED

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 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 school, institution, or system is administered by such State and subdivision."

This amendment needs to be adopted because the Warren Court has violated its oath of office to uphold the Constitution and has violated the Constitution, issuing decrees counter to and beyond its provisions, creating chaos, disorder, disruption, and tyranny. Adoption of the proposed amendment could, as Senator TALMADGE pointed out, solve the school integration crisis.

But if we had an honest Supreme Court, a new amendment would not be needed be-

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 education is one of those powers not delegated to the Federal Government, thereby pointedly being left to the States exclusively, without Federal interference. Oh, but what about the 14th amendment? If we should skip over the multiple illegality which makes its adoption illegitimate, and accept it as it stands, section 5 of that amendment says: "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article." Congress, of course, has passed no integration-enforcing school laws, and the Warren Court has no legal power or right to do so.

The Talmadge amendment would clear the air, curb usurpation, provide solution. Of course, it will not be adopted. 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 if our Nation can afford the "luxury" of internal unrest and tyranny as the result of having demagogues make political hay in the troubled field of racial relationships.

Senator TALMADGE said further—and by rereading the text of the proposed amendment the validity of this view may be proved: "I sincerely believe that there is not a Member of this Congress * * * who could not vote for such an amendment with a clear conscience and in complete consistency with his principles."

Here is something that is not afoul 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 statesmanlike, 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 TALMADGE: AS CONSTITUTION PROVIDES, LET THE PEOPLE DECIDE

In his proposed constitutional amendment to fix, beyond any question, the area of public school authority, Senator HERMAN TALMADGE goes to the heart of the school issue.

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.

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 the authority and rights in question.

The seven southern Senators joining Senator TALMADGE in this step to codify by formal action a principle that was honored until the judicial trespass of 1954 occurred, do not stand alone in challenging that departure from the constitutional concept, or in insisting that an issue of such magnitude is for the people to decide. Not only other southern Congressmen, but Constitution-minded lawmakers of other regions, must see the merit of it.

It is, as the author of this amendment declares, a way to avert the "unparalleled catastrophe" of widespread school closings.

It is not the first suggestion to settle by the constitutional method the question of where these controls shall remain.

Eighteen months ago, on July 30, 1957, the Banner proposed the following amendment: "The public school system of these United States is the property of the States individually, and subject in all particulars exclusively to State and local jurisdiction."

The accompanying editorial declared the belief that that stipulation belongs as the 23d amendment to the United States Constitution, and that a resolution to that effect calling for such amendment should be 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—wholly without precedent, constitutional warrant, 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. They would have that right, exactly as they have had it all along.

The Talmadge resolution goes no less to the heart of the matter, providing equally the right of the people to decide for themselves, State by State.

Actually it would incorporate 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 thus far evading the sanction of legislative enactment.

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 where it belongs, where historically it has resided, but where right now it is increasingly endangered.

Senator TALMADGE and his cosponsors have furnished a means of redress. It should be swiftly adopted by Congress, and submitted to the people of 49 States to decide for themselves.

[From the Nashville (Tenn.) Banner, Jan. 31, 1959]

THE RIGHTS ARE SPECIFIED

When the Alaskan statehood bill was enacted last July, the legislation for that admission included the stated acknowledgment that Alaska's new constitution was Republican in form, and in conformity with the U.S. Constitution. That is, its organic legal structure and governmental arrangement did not trespass at any point on the Federal document which is the law of the land.

Pursuant to that admission, Congress wrote into the law the standard specification—included in 10 previous statehood conferrals—that control of the public school system should be exclusively vested in State hands forever.

The measure passed, overwhelmingly. The President signed it. Alaska is a State. Under the law the State, and the State alone, shall regulate its schools.

That did not confer, strictly speaking, any special rights. It simply specified a right reserved to all the States. And, significantly enough, it was supported by some of the howling banshees who are fighting hardest, like Senators PAUL DOUGLAS, JACOB JAVITS, HUBERT HORATIO HUMPHREY, WAYNE MORSE, et al., to disestablish these very States rights.

It is to clarify this point, and add an unarguable clarifying clause to the Constitution, that Senator HERMAN TALMADGE and seven other southern Senators have proposed an amendment stating exactly what was specified in the school control clause of the Alaskan admission bill.

It will leave no twilight zone for the Supreme Court to exploit to suit the preferences of Myrdal & Co.

[From the Tallahassee (Fla.) Democrat]

A SOUND EFFORT, BUT FORLORN

Eight southern Senators have proposed a constitutional amendment to give States exclusive power to decide the administration of their public school system, without interference of any kind by Federal authority.

The amendment was introduced by Senator HERMAN E. TALMADGE, of Georgia, and cosponsored by Senators HARRY F. BYRD and A. WILLIS ROBERTSON, Virginia; OLIN D. JOHNSTON, South Carolina; LESTER HILL and JOHN J. SPARKMAN, Alabama; and JAMES O. EASTLAND and JOHN C. STENNIS, Mississippi.

Other southerners who did not join this group were in sympathy with the objective. Senator RICHARD B. RUSSELL, Georgia, expressed the views of the rest by praising the amendment as a means of "dealing with an almost sadistic attempt of the Supreme Court to force its peculiar ruling on the South." Certainly, Florida Senators will back the amendment.

There now likely will arise a great alarm that the southern Senators are trying to reverse the Supreme Court school desegregation decision. That's exactly what they are trying to do, and it is the most proper way of doing it.

The classic method of erasing erroneous or odious judicial interpretations of the Constitution is to change the Constitution at the point where the Court went astray.

If the critics of the original Supreme Court separate but equal decision had followed this method, or if the Court had insisted that it be followed instead of recklessly yielding to the pressure to make up the basic law as the changing court saw fit, we wouldn't have been in this mess.

Without relinquishing the right to use the same tactics the integrationists used to gain their ends, the South is fundamentally correct in seeking this constitutional amendment.

It is the most definitive means of making the Constitution conform to the will of the people as it is expressed through their State organizations. It is a long, hard method, requiring ratification by 37 of the 49 State legislatures.

Ratification seems hopeless, in the light of existing conditions, but if the South presents its case diligently to the Nation on the basis of principle, not demagoguery, the passage of time and occurring events just might put it over.

In matters of governmental principle, men, and women of conviction should not hold back from a fight because the outcome seems hopeless.

There should be a relentless campaign, using every possible weapon of persuasion, to sell this amendment to the Nation on the sound contention that whenever Washington starts dictating local school policies on any subject, the people at home—everywhere—are going to have to take something they don't like.

[From the Nashville Tennessean, Jan. 28, 1959]

COURT'S CRITICS OPEN EYES TO HIGHER POWER AT LAST

Southern Senators who propose a constitutional amendment which would assure 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 amendment as introduced by Senator TALMADGE, of Georgia, would declare that nothing contained in this Constitution shall be construed to deny the residents thereof (meaning the States) the right to determine for themselves the manner of administering the schools.

As far as the sponsors are concerned, this is a segregation amendment which comes close on the heels of new court blows to the theory of massive resistance to the present law.

Whether the Talmadge plan, co-sponsored by Senator HARRY F. BYRD and 6 others, will ever get approval of two-thirds of both Houses and ratification by three-fourths of the States is a matter of speculation. The odds would seem to be against it.

But in advancing the plan with such vigor, the backers have gone far towards undermining their claim that the Nation is at the mercy of nine capricious men on the Supreme Court or, as Mr. TALMADGE puts it, the whims of whatever five men happen to constitute a majority of the Court.

Reference is made to the disruptive laws applying to every school in the Nation. But the fact remains that rulings of the court with which the American citizenship is not in sympathy are always subject to change by ordered processes.

New members have been added to the High Court since 1954, but they too have shown their concurrence in the historic ruling of that year.

Coupling the new development with the recent State and Federal court decisions in Virginia which have left that State floundering for a way out, those who are pledged to fight integration to the last now show awareness of the fact that the Supreme Court is always answerable to the people and their representatives.

Espousal of a constitutional change in the opinion of this newspaper, has always been the logical course for those opposed to the integration ruling.

By inference, Mr. TALMADGE and his associates are saying that they are willing to leave the issue up to the Nation as a whole, which is certainly an entirely new approach. Perhaps they believe that sentiment against the Court has been built up to a point where there is a real chance of success.

Changing the Constitution as it applies to public schools would inevitably bring about the abrogation of other clauses of that document which have had traditional acceptance. Such a change can cause controversy and debate, and the guess is that it will.

In any case, however, a step has been taken to apply the yardstick of public opinion to the integration rulings of the courts—and especially the Supreme Court—with full assurance that decisions of lawmakers and citizens will prevail, as they should in this democracy. That is the reasoned way.

Earlier acceptance of this course would have prevented the futile fight over interposition and the succession of other court rebuffs which culminated last week in a double rejection of Virginia's segregation laws.

The Federal court said that Virginia cannot by State action close schools in some communities and keep them open in others; that it cannot by local action close some schools in a community and keep others open in that same community.

And the State supreme court decreed that Virginia cannot close public schools—except temporarily—without amending the State constitution, which requires a State system of public education. In addition, it cannot withhold State funds from a school even though it becomes racially mixed; it cannot establish State control over school 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 schools to finance payment of tuition grants to pupils for use in attending segregated schools.

Considering 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 broader and more direct approach to the whole question at last has won favor.

[From the Washington Post, Jan. 30, 1959]

THE HONORABLE WAY

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 closing of a public school system, and adds that the American concept of universal education, more than any other factor, is responsible for the greatness which this Nation has achieved.

Especially notable is Mr. TALMADGE's recognition that the Supreme Court decision is an accomplished fact which will remain so until it either is reversed by the Court itself or is nullified or modified by Congress or the people. Of course, Congress has no power to nullify or modify a Supreme Court decision on a basic constitutional question. Mr. TALMADGE speaks, however, of his dedication to seeking reversal of the decision by every lawful means. This comes close to an acknowledgement that the decision is the supreme law of the land.

We hope that Mr. TALMADGE is wrong when he says that the overwhelming majority of people in the South will neither accept nor submit to the "forced implementation" of that decision—for the Court has indicated many means of gradual adjustment. And we have no thought that if the amendment is put to a vote either in Congress or among the State legislatures requisite majorities will elect to overrule the Supreme Court in its interpretation of the 14th amendment.

Nevertheless, this is the honorable way for those who disagree with the Court decision to make their case—to seek to amend the Constitution through the established process. If they should win two-thirds of both Houses of Congress and three-fourths of the State legislatures to their cause, no one could reasonably object. The obverse of this situation, of course, is that if they should fail, their obligation to respect the decision would become even clearer. At any rate, Mr. TALMADGE has sought to raise consideration of the problem to a legal plane from the muck of defiance and closed schools.

[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 help solve some very serious school problems, both North and South. The amendment is steadily gaining support, albeit we are yet to hear it praised by our own U.S. Senators the Honorable ESTES KEFAUVER and the Honorable ALBERT GORE.

How anyone, no matter what his presidential ambitions or how bigoted his views, can fail to go along with the Talmadge amendment, is more than we can see.

For the Talmadge proposal is simplicity itself. It simply says that "nothing contained in this Constitution shall be construed to deny the residents (of the several

States) the right to determine for themselves" the manner of operating public schools.

Actually such an amendment should not be needed. The Constitution does not even mention public education and expressly says that all rights not granted the central government are "reserved to the States and the people thereof."

But because of the perverted views of the present Supreme Court, the amendment is essential to a peaceful future for America.

Of course, to be law, the amendment must pass both Houses by a two-thirds vote and be ratified by three-fourths of the States.

We firmly believe that if the decision is actually left up to the people of the several States, both North and South would favor it. Because of the influence of the Soapy Williamses and the PAUL DOUGLASES in the North and the ESTES KEFAUVERS of the South, it may not pass both Houses.

If it ever does, look out Chief Justice Warren—the people of the several States will speak through their several legislatures, not just on the race question, but on the fundamental rights of the States to handle their own internal affairs of which schools are the foremost. When they do, Justice Warren's little political playhouse which has split this Nation asunder in a serious schism will be forever toppled, and the Nation will again be united.

Is it constitutional for one or several States in a United States union to operate under a special law that gives that State or several of the States the right to operate and govern its public school system, when the High Court of that Nation puts a special ruling on the other States to integrate the public schools?

And what about a country that has been a Territory for a number of years of the United States, and by order of Congress is granted statehood, and in the statehood charter is given the right to govern its public schools for all time to come?

Now that is just what has happened and is happening in the United States today. Some of the States that were given statehood into the United States after the 14th amendment, have control of their public school systems, and Alaska was given under the congressional act granting statehood the right to control and govern its public schools throughout all eternity.

Is it constitutional for a High Court to say it is constitutional to order some States to integrate its public schools and at the same time exempt said States added to the United States after 14th amendment was fraudulently declared constitutional by Chief Justice Earl Warren and his "eight old men" and ordered all white schools to be desegregated and integrated by allowing Negro children to attend all white public schools and all Negro graduates to attend all white colleges and universities that are maintained by public taxation.

Now there is one thing that I would call the Tennessee Legislature's attention to, and that is the bill or resolution introduced by Senator TALMADGE, of Georgia, ordering a constitutional action on matters of segregation and integration of our public schools. In which it is pointed out that Alaska in its adoption of statehood into the United States was given the perpetual right to govern its public schools for all time to come, and possibly calling attention to States adopted into the Union after the 14th amendment was declared a law, the right to conduct its own school system. Senator TALMADGE is entitled to congratulations from the Tennessee Legislature.

Ike, when his attention was called to the fact that Alaska was given the right in its statehood adoption, to conduct its own school system said that he didn't know such

a clause was in the bill, and he was told, "Mr. President, you signed the bill." Let's congratulate Senator TALMADGE and his seven or eight Senator sponsors in this move, and let's do it now, and—Thasall.

[From the New York Herald Tribune,
Jan. 30, 1959]

**SOUTHERN PROGRAM TO END SCHOOL ISSUE
IS QUESTIONED**

(By David Lawrence)

WASHINGTON, January 29.—Eight southern Senators have taken a significant step to refute the notion that the South believes in lawless ways. Senator HERMAN E. TALMADGE, Democrat, of Georgia, 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 with a legitimate means of overcoming what they consider the ill effects of the 1954 "desegregation" decision of the Supreme Court of the United States.

VIEW OF TALMADGE

The big question, however, is whether the proposed amendment, when analyzed, does really provide the solution desired by the South, Senator TALMADGE rightly says:

"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 affords no conclusion but that that will be the inevitable result of binding the citizens of the South in the chains of circumstance now being forged around them. And the real losers of such an eventually 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 delineate the fundamental constitutional right of the parents 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 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."

It would be easy enough, however, for the Supreme Court to rule that even today nothing in the Constitution interferes with the right of local school authorities to administer the educational institutions themselves and that discrimination on the basis of race or color or creed is not an administrative matter at all but a question of citizenship rights.

RIGHTS OF PARENTS

What needs to be done, of course, is to include in the proposed amendment an affirmation of the right of parents—the citizens themselves—to determine what kind of educational institutions they wish their children to attend. The individual may discriminate but the State cannot. This means, under present conditions, two school systems or two sets of classes within the same school buildings or separate buildings.

Obviously there are parents who do not mind seeing their children enrolled in integrated schools. Other parents want their children in segregated schools. A constitutional amendment that spells out the rights of parents and gives a discretionary right to the State legislatures or local school boards to set up a dual system is the only method that will assure freedom of choice for the parents.

The tuition-grant system offers another alternative, but, in the absence of some new constitutional authority, this cannot mean any quasi-public school system but a 100 percent private system.

AN ISSUE FOR DECADES

The school controversy is not likely to be over for decades to come. The experience with the 18th amendment and its subsequent repeal by the adoption of the 21st amendment is an example of how a basic issue of sociological reform is finally handled by the American people. The question of whether drinking is morally right or wrong has not been settled yet by the provisions of the Constitution, but the right of each locality to control liquor sales now has been affirmed as constitutional.

Precisely this kind of solution is inevitable in the school controversy and, while the Talmadge amendment has that broad aim, it needs to be specifically amended to transfer the power of choice to the citizens, who can then demand of the States the type of schools they want their children to attend. A dual system is the only answer not only for the South but for many cities in the North where an increasing Negro population has merely served to introduce evasive schemes of residential gerrymandering to achieve something for which the southern people, when they try it, are denounced as attempting 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 amendment to the Constitution to legalize public school racial segregation would be joined by others in both branches of Congress if their motion should reach the voting stage. But in all likelihood the total would fall short of the two-thirds of the House and Senate membership which the Constitution requires for the submission of an amendment to the States.

Yet, with the public school system in Virginia beginning to crumble 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 one method "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, though not a line had been added to or subtracted from the 14th amendment that both decisions construed. Moreover, though the 14th specifies Congress as having the "power to enforce" it by "appropriate legislation," Congress has not acted in this legislative field, either contrary to the 1896 decision or otherwise.

The contention that Congress in 1958 did legislate the southern position in the controversy by granting to Alaska "exclusive control" over its schools is a quibble. The

statehood law forbids to Alaska "acts" repugnant to the Constitution of the United States. And the Supreme Court's ruling that school racial segregation is such an act is binding until or unless reversed by the Court or canceled by Congress on constitutional amendment.

The southern resistance to the Supreme Court's reversal of its earlier and long-established interpretation would have been intense anyhow. But it was inflamed by the fact that State control of the operation of public education, locally financed, had been restricted in these circumstances solely by a new ruling of the Federal judiciary. Lawyers and judges outside the South have supported the southern protest on the same legal grounds.

It is most improbable that Congress would submit the Talmadge amendment to the States, or that if Congress did, there would follow the approval by the three-fourths of the States required by article V to amend the Constitution. Many more than one State plus one-fourth of the 49 (now approximately 14) would reject it. And the effect of this negation would be to accept the principle of the Supreme Court's 1954 decision as implicit in the text of the 14th amendment.

But the Talmadge proposal offers Congress and the States a means to insert the principle positively into the Constitution if this should be the will of three-fourths of the States, expressed either by their legislatures or by convention—the alternative method provided in article V.

His amendment states that "administrative control . . . of any public educational system operated by any State or by any political or other subdivision thereof shall be vested exclusively in such State or subdivision, and nothing contained in this Constitution shall be construed to deny the residents thereof the right to determine for themselves the manner in which any such . . . system is administered by such State and subdivision." Brought forward for a vote in the House and Senate, this could be substituted for by a simple text which would add to the 14th amendment a precise ban on any statute, State or Federal, requiring racial segregation in any public schools.

Sixty-six Senators and 200 Representatives could submit this to the States, and the make-up of Congress virtually assures that these would be forthcoming. Then the new principle asserted by the Supreme Court would be written into the Constitution for none to dispute on any ground if this is the will of the people of three-fourths of the States. And if this is not their will, it merits demonstration in view of the gravity of the problem of enforcing a judge-made constitutional command which is resisted by a whole section of the United States to the point of abandoning its public educational system.

[From the Nashville (Tenn.) Banner, Feb. 12, 1959]

**CAPITOL HILL: GOVERNOR ENDORSES TALMADGE
AMENDMENT**

(By Nell Cunningham)

Gov. Buford Ellington has added his endorsement to a proposed constitutional amendment by Senator HERMAN TALMADGE, of Georgia, which would give States exclusive control over their schools.

A resolution is now pending before the State legislature which would memorialize Congress to approve the constitutional amendment.

TALMADGE's amendment seeks neither segregation nor integration in public schools, but would leave each State free to make its own decision.

"The proposal by Senator TALMADGE is a logical solution to our current school problem," Ellington said.

"It proposes no advantage for either side, but simply 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 on his proposal 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 ON RECORD

Tennessee has the opportunity, by legislative action, to go on record for the Talmadge amendment expressly stating, in language none can misconstrue, that all public school controls are vested in State and local hands.

The strongly worded resolution introduced in both houses of the legislature expresses, the Banner believes, the statewide sentiment of Tennessee; the convictions of a people unwilling to see rights further eroded, and sensitive to the obligation of speaking out in defense of them.

Legislatures all over America are in session, units of government close to their constituents, and, under the Constitution, themselves authorized (when two-thirds of them agree) to apply for a convention seeking amendments.

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 enacted 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 PRESSES MIX CURB IN TALMADGE-LIKE PROPOSAL

(By Fred Taylor)

MONTGOMERY, ALA., February 7.—Federal investigation of voting practices and new integration threats brought a raft of bills to strengthen Alabama's voter registration and segregation laws the first week of the special legislative session.

Members of both house and senate, spurred on by activities of agents for the Civil Rights Commission, which conducted two hearings here recently, feel that prompt action should be taken to pass bolstering legislation.

The lawmakers not only introduced bills to tighten statutes on voter registration and segregation, but 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 deGraffenried, of Tuscaloosa, asking Congress to authorize a special convention for submission of a constitutional amendment giving the States full control of educational systems.

The Tuscaloosa legislator, a former House member, pointed out that his resolution is similar to a bill introduced by U.S. Senator HERMAN TALMADGE, of Georgia. TALMADGE's bill provides for Congress to submit a constitutional amendment to the various States. But the Alabama lawmaker believes Congress would be much more likely to let a convention act on such an amendment than it would to submit the amendment to the States.

[From the Atlanta Journal, Feb. 11, 1959]

HOUSE URGES TALMADGE PLAN ON SCHOOLS

The Georgia house Wednesday unanimously called on Congress to meet in special convention to pass Senator HERMAN TALMADGE's constitutional amendment on State local option in school integration.

Copies of the resolution are being sent to every State in the Union in an effort to get two-thirds of the States to make the same request, which would authorize amending the Constitution.

Representative Wilbur A. Orr, Jr., of Wilkes County told the legislature that "Georgia is paving 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 senate and speakers of the house. These people would be asked to encourage their legislatures to pass the same resolution.

[From the Jeff Davis County Ledger, Hazlehurst, 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 domineering 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.

Willfully and deliberately the U.S. Supreme Court has ignored the concept of Rousseau, if any of the members know of his existence or book. The man does not count, for others have advocated the idea, but the thought means a great deal. The Court in its decisions has flouted all that there is in the belief that no law will stand up without the consent of those it affects; and that is taken to mean the people as a whole.

Now, the integration ruling of the Court does affect the South; it also affects other parts of the Nation. Both the nine men on the Court and the President of the United States are aware that the ruling has not,

cannot, 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 authority; the matter would be left to the individual States. Monday the Senator from Georgia introduced a bill which would require members of the Supreme Court to have had at least 5 years experience prior to appointment. Of the nine now on the Court, he said, only five had any judicial experience (and one or two of these are recent appointees who were selected after much criticism because of the lack of training of other members), and one of them was—a police judge.

Senator TALMADGE's approach has been widely applauded as a realistic and workable method. The Christian Science Monitor, with readers all over the world, declared it a straightforward way to press a view. It said "some may object that it has no chance of succeeding. But certainly it has more chance of winning support from reasonable men than do efforts to obtain reversal by smearing and undermining the authority of the courts. One of the unfortunate things about the school desegregation controversy is confusion over constitutional issues. It would help if both sides would make the right of local control of education dominant."

The 18th amendment, which is the prohibition amendment, was ratified by the States January 29, 1919; but, and note this, on December 5, 1933, the 21st amendment was ratified and it repealed the 18th.

Senator TALMADGE knew that it would take time, if his bill did win the approval through the long route it had to go—including ratification by the States—but he looked back and noted that it was 14 years before the people decided to let the States judge for themselves on prohibition.

It is a fact that today it is very unlikely that Senator TALMADGE's proposal to amend the Constitution will be passed by the Senate; it is, however, possible that some of the power of the Court is going to be clipped. That is the wedge.

Once the Supreme Court has its authority challenged and a part revoked the way will be set. And the people of the United States, it will be found, do believe in the truism, if you want to call it that, that government rests on consent of the governed.

Georgia's Senator has found a clink in the armor, we hope, a legalistic, reasonable method of approach that may some day restore tranquility to a troubled South and at the same time serve the North.

[From the Savannah (Ga.) Morning News, Feb. 10, 1959]

LET'S END THIS PHONY CRISIS

As a general rule we try to avoid the use of slang words in editorials. In observing the current crisis over the school segregation matter, and all that it entails, however, one word keeps popping up again and again, "phony."

Phony is a slang adjective that means not genuine, or fake and thus it characterizes the whole school segregation controversy to date. The solution to the entire problem is at hand. We have but to make use of it. Some can't see it because they have become so embroiled in their own shallow emotions that they are like the woodsman who couldn't see the forest for the trees. Most, however, can't see it because they don't want to and have deliberately turned their backs. The solution is the Constitution.

Rather than turn to the Constitution, we have tried nearly everything else under the sun. We have abandoned the last pretense of consistency, we have applied foreign so-

ciological 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 some of us were so anxious to change have deteriorated immeasurably.

The situation was predicated from the outset on a phony procedure. This occurred in 1954 when, on the crest of a trend toward Federal centralization of government, the Supreme Court decided that the time had come to legislate and administer rather than interpret and adjudicate the law. Since then, the initial fallacy have been many times compounded.

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—a phony issue if you please—and we found even the Vice President pointing with pride to the political allegiance held by the Chief Justice of this Nation, and charlatans from all quarters exploiting bigotry to win election as champions of tolerance. If the Republic survives, these will be written as the most shameful pages in our country's history, a record that will cause unborn generations of Americans to blush.

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 spigot. He beats the walls with his fist, and dramatizes the situation for his wide-eyed audience, when all he needs to do to end the crises is turn off the faucet. Secretly, or in his subconscious, he knows this, but he refuses to admit it for he likes the excitement, and it helps him to stay in office. As the phony emergency vanishes, so will most of his political appeal.

Senator HERMAN TALMADGE recently introduced in the U.S. Senate a bill which said in effect, "Fellows, this thing has gone far enough, and real damage is being caused. Let's turn off the faucet and clean up the mess."

His solution is elementary and direct. It turned not to some mystic magic, but to the solution that has been available all the time—namely the Constitution and the people. He proposed a constitutional amendment that would give the people, as the only proper makers of the law, the right to fix for once and for all the responsibility for administration of this Nation's public schools.

Is a majority of the people aware of Senator TALMADGE's proposed amendment and its implications? Unfortunately the answer is no. Lawmakers with little inclination to eliminate the conditions which help them get elected quickly busied themselves with other matters and pretended not to notice. Editors of influential newspapers, aware of practical politics, did their part by burying the story on inside pages with the comment that the bill had no chance of passage. Magazines which presumed to mold opinion immediately wrote it off by attempting to impute sectional motives. Only in the South was the action recognized and supported by news media and by the people. Elsewhere, the people are being fed a diet calculated to perpetuate the phony crisis. Reluctant resignation to a limited degree of coercion as an alternative to wholesale violence in Virginia is being interpreted now as a wholesale endorsement by the people of that State of a new and nonconstitutional method of creating laws of the land. Nothing could be further from the truth.

It's time for a return to sanity and to the Constitution in this Nation. The Talmadge

amendment points the way. We in the South, who do realize what is happening, had better spread the word to our friends and acquaintances in other parts of the country. The people can end this phony crisis just as soon as their leaders give them the opportunity.

[From the Christian Science Monitor, Feb. 11, 1959]

TALMADGE ADVOCATES HOME-RULE SCHOOLS (By Joseph H. Baird)

ATLANTA.—Senator HERMAN E. TALMADGE, of Georgia, is convinced that if the American people could express themselves, they would speak overwhelming in favor of administration of the public schools on a State and local level.

He has challenged the Nation's press—which he says is largely hostile to the southern viewpoint—to use its editorial columns to obtain a fair sampling of public opinion on this question.

The Senator, who recently introduced a constitutional amendment to give States and their political subdivisions complete control of the schools, threw down his challenge in a speech before the Georgia General Assembly February 11. He is here also to address a dinner meeting of the States Rights Council.

SHIFT IN VIEWS NOTED

Observers have noted a basic change of importance in the Talmadge approach to the school integration problem.

Although he has not said this in so many words, Senator TALMADGE apparently has abandoned the belief, held while he was Governor of Georgia, that integration can be indefinitely delayed by State legislation or measures such as the private school plan. Federal court rulings in the Arkansas and Virginia cases as well as the fact that he now views the problem from Washington rather than Atlanta apparently have caused him to believe the issue must be met on a national basis.

In addition to the school amendment and another setting forth qualifications for U.S. Court Justices he has sponsored already, Senator TALMADGE disclosed that he plans soon to introduce in the U.S. Senate three bills which would:

1. Withdraw the jurisdiction of the Supreme Court and U.S. circuit and district courts over all matters relating to the administration of public schools.

VOCAL MINORITY BLAMED

2. Require jury trials in all cases of contempt of court arising from the disobedience of any Federal injunction or restraining order.

3. Require the Supreme Court to accord a full hearing to all parties before acting upon any lower court decision.

Senator TALMADGE charged that the present school crisis, which threatens to destroy public education in the South, was precipitated by a militantly vocal minority who represent less than 10 percent of the Nation's population.

He blamed the Nation's press outside the South with abetting, both unknowingly and in many instances deliberately, the partisan aims of such pressure groups through disproportionate coverage of their self-serving assertions and through a lookout of news of the efforts of spokesmen for the other 90 percent of the American people to state their case. * * *

"If the press of the United States wishes to make an affirmative and constructive contribution toward reinstating a proper constitutional posture in national affairs, it can do so without taking sides by giving fair and adequate coverage to all viewpoints in its news columns and by using its editorial columns to ask and urge the citizens of this country to sit down and write their Senators and Congressmen how they personally feel about the matter.

COMMONSENSE URGED

"No paper genuinely dedicated to the journalistic tradition of public service could consider such a proposal either improper or unfair because only a publication with ulterior motives could have anything to fear from either impartial reporting about or an expression of public sentiment on any question.

"If we will only sell our position on a constitutional basis," he told the General Assembly, "all other considerations will take care of themselves.

"Our struggle is for the minds of people outside the South and our hope for sympathetic consideration for our viewpoint lies in appealing to the commonsense and good judgment of independent thinkers who live in other regions. I know there are countless thousands of them because every mail which comes into my office brings letters from all sections of the country."

THE WILDERNESS PRESERVATION BILL

Mr. NEUBERGER. Mr. President, earlier today I joined with the distinguished senior Senator from Minnesota [Mr. HUMPHREY] in his introduction of 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.

However, last year it was my privilege 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, Oreg. At those hearings some very cogent objections were voiced to certain provisions of the wilderness bill.

It is my belief that, when the bill is considered by the Senate Committee on Interior and Insular Affairs, such objections must be given due and careful consideration. For example, Indian lands are included in the Humphrey bill. It is my opinion that Indian lands are certainly quasi-private lands which belong to certain Indian tribes by treaty, and that they have merely been held in trust for them by the Federal Government.

I think perhaps we do not have a valid right to declare these lands belonging to our Indian wards as utter wilderness.

The U.S. Forest Service, which is an outstanding agency of our Government, has voiced certain objections to the bill as presently written. For example, the Forest Service does not agree with the procedure set up for classifying primitive areas. In addition, the Forest Service believes and advocates 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 if the Forest Service could not go in with equipment to save the trees.

I shall not go into further detail, because I do not wish to presume at greater length on the time of the distinguished senior Senator from New York. I want the RECORD to show that while I am a cosponsor of the Humphrey bill and share many of the views expressed earlier today by the Senator from Minnesota

[Mr. HUMPHREY], and the Senator from Montana [Mr. MURRAY], it is my hope that the Committee on Interior and Insular Affairs will consider some of the suggestions and recommendations made for changes in the bill, when the bill comes before the Senate committee.

ORDER OF BUSINESS

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.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VISIT TO THE SENATE BY ARGENTINE CONGRESSIONAL DELEGATION

Mr. MORSE. Mr. President, the Senate is greatly honored 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 p.m.) the Senate took a 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 Hurtado. [Applause.]

Mr. MORSE then introduced the following members of the visiting Argentine congressional delegation. Each was greeted with applause:

SENATORS

Jose Gregario Juarez, senator from Tucuman.

Carlos Alberto Lebrero, senator from Buenos Aires.

Armando Luis Turano, senator from Buenos Aires.

DEPUTIES

Domingo Cialzeta, deputy from Corrientes.

Emilio R. Poitevin, deputy from Entre Rios.

Ubaldo H. Jara Melagrani, 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 handclasp 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 of friendship to the people of the Argentine. We want you to know that we recognize the tower 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). On behalf of the Senate, the Chair acknowledges the presence of these distinguished guests from the south, our fellow patriots and statesmen from Argentina.

Perhaps you gentlemen would like to know that we have just received a firsthand report from a student conference held nearby, in which the most eloquent voice raised in behalf of the principle of inalienable rights was a visiting student from your country. We believe that our common faith in the principles of Thomas Jefferson unites us, indeed, and we welcome you to the Senate.

Mr. DIRKSEN. Mr. President, I should like to say to our distinguished visitors that 19 years ago I was a guest of the Congress in Buenos Aires. At that time we were fortunate in having in the delegation, consisting 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.

On behalf of the majority leader, I join in the remarks made by the 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 a 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 come. 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, quiero decir a nuestros amigos de la Argentina quienes estan aqui este dia que tenemos mucho gusto en verles en el Senado de los Estados Unidos. Deseamos una amistad continua entre ambos gran países.

All of which merely means, Mr. President, that I am delighted to be able to utter a word or two of welcome to our friends from the Argentine in their native tongue. I address our distinguished guests in their own language merely to demonstrate that a few of us in the U.S. Senate can speak a little Spanish.

Mr. JAVITS. Mr. President, I shall be happy 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 p.m.) 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 [Mr. MANSFIELD] made an important speech in this Chamber on the German situation. It is my intention to address myself this afternoon to that speech 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 for the United States and acting under that provision of the Constitution which entitles the Senate to give the President its "advice and consent" in making "treaties"—in other words, foreign policy. Senator MANSFIELD in his speech said that he makes the suggestions in the spirit of responsible Demo-

cratic 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 a member of two special study missions on Germany and also was a member of the subcommittee that pursued the inquiry there on the displaced persons camps in Germany in 1947. I feel that 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 Affairs of the House of Representatives with the Senator from Montana. There is no question about his high patriotism and his tremendous interest and his great learning in this field. In essence, his proposal was "to call upon German leaders of the two Berlin communities, East and West—to begin serious efforts to unify the municipal governments and services of that city." At the same time my colleague suggested that the conciliatory services of the Secretary General of the United Nations be enlisted, and if agreement can be reached it would be desirable for "both Soviet and Allied forces in Berlin [to] be replaced with a United Nations police force composed of contingents from nations not directly involved." Also, he proposed that even if there was no arrangement for unifying Berlin the Allied military personnel in Berlin should be replaced with German militia "fully supported by NATO guarantees."

In a letter to 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 on the unification of Berlin, to explore 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 Senate and before the country, and received, as everyone knows, a very considerable amount of attention.

Indeed, I doubt very much that I would have been called upon to deal with the subject in the great detail in which I shall deal with it if his proposal had not commanded so much attention, not only here, but also in Europe, where, in my opinion, it can do very great damage unless it is made very clear, both by the Senator from Montana and myself, as he has already started to do in his letter to the New York Times, and by others, as to just exactly what we are about in respect to this grave and, indeed, igniting issue.

The Senator from Montana coupled his proposals with a suggestion of a "guarantee, for a period of time, of the kind of unified 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 include all of Germany. Further he suggested "limitations of armaments throughout Germany and Central Europe." And a "pullback of the so-called ultimate weapons and the Armed Forces of both East and West from the points of imminent contact in Germany and Central Europe."

Those 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 not as heavily emphasized, is 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 opinion these 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 German unification, and 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 all-German 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 letter which was printed in 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 impact upon my colleague's 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; 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 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 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 Germanys, 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. As I understand, the two parts of Berlin have arrangements about power, the operation of the subway, and probably other matters.

Mr. MANSFIELD. I simply wanted that point to be clear, 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 what he has just said, I shall quote 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 in the interests of this Nation to seek that unity by force, then I submit a policy which merely clings to an unrealizable slogan, of free all-German elections, which does not pursue German unification 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 Germany as well as Western Germany to express themselves and their political preferences and to 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 what took place in every other country 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 if there are to be no free all-German elections? Are we to assume that this right of expression of political preference is to be permitted by the respective German governments—in the case of East Germany, by its Communist puppet government?

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. I hope some way can be found by which the people of

East Germany will be allowed to express in what direction they would like to go. My guess is that 95 percent of the people of East Germany would vote for affiliation with West Germany. I think that as long as for the foreseeable future there is no possibility of all-German elections, so perhaps other ways and means should be found to try to break the impasse which keeps alive a partitioned Germany and a partitioned Berlin.

It is my belief that so long as Germany remains partitioned, there will be no peace in Europe. So long as there is no reasonable assurance that there will be peace in Europe, there will be no peace in the world.

I call the Senator's attention to the fact that the last two conflagrations which split the world wide open were ignited in Berlin.

Mr. JAVITS. I answer the Senator from Montana by saying that all this is completely true, but at the same time it must be said, on the other hand, that we must reflect that if there is a neutralized and a sterile Germany in the center of Europe, that is exactly the type of condition which brought on World War II. A Germany allied with the Soviet Union is certainly what brought on World War II. If there is to be a Germany, one part of which is Communist and the other part of which is free, and if they are then combined under those terms, it will mean that both sections will go Communist; and again another world war will be started. That is what I am talking about today.

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

Mr. JAVITS. Not at the moment. I have a consolidated thought which I should like to express first. I shall be glad to yield shortly.

I should like to make one thing clear about my reason for speaking, especially in deference to my distinguished and, I think I may say in this case, my beloved colleague from Montana.

I do not want to make debating points or arguments which will embarrass him and embarrass me. I really hope we can, upon the anvil of debate, make clear our views on foreign policy. Let me emphasize that this type of debate is all too rare in this Chamber, on the part of both parties—Republicans and Democrats. I think it is high time that someone on my side stood on his hind legs and dealt with this subject, and that he should not simply sit here day after day while the foreign policy of the United States is being operated on in this Chamber, and keep silent.

Although I am a very junior Senator, I am seeking to debate this issue today. But what I am hoping to accomplish by speaking today is that upon the anvil of debate we shall endeavor, between us, to pound out a policy which will receive the support of Republicans and Democrats alike.

We are not talking about balanced budgets; we are not talking about a few airports; we are not talking about housing; we are not talking about all the other subjects which are important to the people, and about which we speak in this Chamber every day of the year.

They are all very important, but they are not so vital as the life and death about which we are speaking this afternoon in the Senate.

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. One of the reasons why I made my speech last Thursday, after 3 months of preparation, beginning on the day Mr. Khrushchev laid down his ultimatum on last November 27, was simply to try to generate the very idea which the Senator from New York is now voicing. I want the administration, the people of the United States, and our friends in Western Europe, to do a little thinking while there is still time to do some thinking on the Berlin and German situations.

I recall that in the case of Korea, we did our thinking and asked questions after we became involved in the Korean war. We went into that particular struggle united. But it was not long, once reverses began to show themselves, before we began to ask the questions: Why are we here? Where are we going? What is the purpose of all this?

Now we have 3 months before the deadline will be upon us. I must admit that I am surprised at some of the reactions, because I was trying to make constructive proposals. I was trying to uphold the hand of this administration. I was trying to give the administration room to maneuver, and flexibility, if the need arose, because I thought it was my responsibility, as one Senator, to do what I did.

I do not like to make speeches on foreign policy, because in the field of foreign policy one may step on someone else's toes. I must admit, in all candor, that I have sensitiveness in that respect. I do not like to step on other people's toes. But so long as I have the honor and the privilege of being a Senator of the United States, I intend to assume that responsibility; and in the words of an old friend of mine, with whom I served in the House, MIKE MONROE, "I am going to call 'em as I see 'em."

I thank the Senator from New York, because he is doing now the very thing I hoped would be done. I am delighted with the reaction to my speech, both pro and con, because we had better start thinking ahead, while there is time, rather than after the fact, if an impasse is reached by May 27, the deadline set by Mr. Khrushchev for us and our allies.

I do not mean that under any circumstances will we forfeit West Berlin to either East Germany or the Soviet Union. So far as the United States is concerned, regardless of our political affiliations, we will support the President of the United States and his Secretary of State to the hilt; and we will, of course, once the decision has been made, put our shoulders to the wheel and get right behind them.

Mr. JAVITS. I thank the Senator from Montana. What he has said is quite typical of him. I am delighted that we are meeting upon common ground, even though we may differ on the method of approach.

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 our position, and to begin negotiations, if possible, regarding Berlin, for the Soviets have placed a red circle about the date of May 27 as the deadline imposed by them for settlement of the Berlin question.

My desire to make this clear is the reason why I did not yield to my dear friend, the distinguished Senator from Idaho [Mr. CHURCH]. I wanted to state my basic points.

I think the issue is basic. 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 myself—to take place between the Governments of West Germany and East Germany, respectively, about the unification of Berlin and of Germany? Or will the three Western Powers insist that negotiations must be among the four powers—that is, the three principal Western Powers which defeated Germany in World War II, plus the Soviet Union, with the role of the West and East German Governments that of advisers who are parties in interest, the negotiations to encompass the unification of all Germany and the problems incident thereto, including Berlin; a solution to be premised upon a free expression of will by all the German people in the only way we know to have their will expressed ultimately and finally—namely, by free, all-German elections.

Mr. President, this policy has now been crystallized by the text of the notes of the United States, Britain, France, and West Germany, delivered to the Soviet Union on February 16, inviting the Soviet Union to a foreign ministers' conference to undertake "negotiations among the four powers responsible for Germany"; and our position is based upon the repeatedly expressed conviction of the U.S. Government that "the continued division of Germany constitutes a danger to European security and world peace."

The question is, fairly and frankly, which of these alternative courses of action—the one suggested by my colleague from Montana or the one suggested by me and by the notes of the four powers, including West Germany—shall be pursued in the interest of peace and of the free world. I am of the decided opinion, Mr. President, that it is the policy reflected by notes of the four powers—the United States, the United Kingdom, France and West Germany—to the Soviet Union, rather than negotiations between the East and West German Governments.

Now I yield to my colleague, the Senator from Idaho.

Mr. CHURCH. I thank the Senator from New York. I wish to ask a question only to ascertain the position of the Senator from New York, not to challenge it.

From my reading of the press, it is my understanding that a short time ago the Secretary of State stated publicly that he did not think free elections in Germany constituted the only basis upon which we could seek unification. I do not quote him exactly; but I believe I have given a fair representation of his statement.

In view of that statement by the chief spokesman for this administration and the chief architect of its foreign policy, I wonder whether the distinguished Senator from New York is in support of that proposition or is opposed to it.

Mr. JAVITS. If the statement as quoted by the Senator from Idaho were correct, I would say I am not in support of that proposition. But the quotation which has been given to us by the Senator from Idaho is not a correct one, for what Mr. Dulles stated, as I understand it, is that he does not regard as a *sine qua non* all-German elections. But he said that, to begin with, we can start on this process without all-German elections; he said he did not regard all-German elections as an absolute condition precedent.

That is my understanding, and that is what I have constantly reiterated, as I do in my remarks today—in other words, that we do not take an inflexible position; we do not say there must be such elections or else we will not even talk to the other side.

I believe the difference between my colleague and myself and the position of most of the other countries of the world can be stated as follows: Are we going to let the Germans negotiate between themselves—which is his proposition—or are we going to have the negotiations conducted between the real parties in interest? Certainly, one of them is the Soviet Union, not East Germany, which is nothing but the Soviet Union's puppet and mask, as everyone knows.

Mr. MANSFIELD. Mr. President—

Mr. JAVITS. I yield.

Mr. MANSFIELD. Then, Mr. President, on the basis of what the Senator from New York has said, I see no difference between his position and mine, or between our position and that of the Secretary of State. I am sorry I do not have before me the transcript of the news conference. But that question was raised; and, as I recall, the Secretary of State said that was not the only basis upon which a united Germany could be brought into being. So I do not see any difference on that point.

I am willing to do anything which will bring about a unification of Germany. I want to see the two Germanys made into one; and I want to see that one Germany be a democratic, federal republic.

Mr. JAVITS. Mr. President, I neither want to obscure nor to forget the question. Let us not get off on the rabbit track of what Mr. Dulles said about free elections. I think what I have stated is correct, and I think the record will so prove. The Senator from Montana undoubtedly is equally sincere in his belief as to what the record will prove. So we shall simply refer to the record.

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 advisers?

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 in the Senate.

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 done. But when I ask 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 cover chiefly transportation in the city of Berlin and commercial 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-Germany 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. 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, there might never be a chance 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 who is speaking often 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 for me to come to it now. So I shall state it now.

Mr. HUMPHREY. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER (Mr. MUSKIE 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 point is covered in my prepared remarks, as I am sure the occupants of the Press Gallery are aware. However, I shall discuss that point now.

The question is what will be the result within Germany itself. The minute we say we are going to let the West Germans and the East Germans negotiate, that will be, within Germany itself, what is known there as "the word."

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, everybody runs for cover. Everybody knows 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 protect 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 got 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 egging them 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 statement. I heard his summations. I know that the Senator from Montana said the other day. My observation is essentially this:

The value of the statement of the Senator from Montana of the past week is shown by the fact that we are having this debate today. What the Senator from Montana suggested was not that he had the formula, but that it was time there was some open public discussion of this question, over the radio, television, and in other directions.

In three reports of the Subcommittee on Disarmament, it was my privilege, in the preface of the reports, to point out that there should be a reexamination of the whole problem of central Europe. Two times, as a result of those reports, I received emissaries from the State Department, and elsewhere, suggesting it would be better if the suggestion was not stated so publicly—despite the fact that it had appeared in print and had been publicly stated.

My view is that the problem we face today 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, gave us an opportunity to broaden the whole base of negotiations with the Soviet Union. I believe in negotiations, but I believe we ought to be sure of what we intend to get, and how long it may take to get it. We ought to know what is 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.

It seems to me our first objective in negotiations with the Soviet Union should be an effort to negotiate for the withdrawal of Red troops from central Europe, because failure to have a withdrawal will not result in any kind of political solution that will have the possibility of being on a solid foundation.

Let me state my point more concisely: I happen to believe that negotiations between East and West Germans 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 further negotiations to seek some reasonable way out of an 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 statesmanlike and very careful, unless 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 withdrawing from 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 saying so pointedly today; but I do not think they should be limited to Germany only. Those negotiations must relate to Czechoslovakia, 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 caution my fellow Americans not 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 unless we are willing to pay a price. 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. If 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 get 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 is examined 10 times under a microscope, for fear that we 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 least 5 years late. We should have had this issue discussed a long time ago. I for one salute the Senator from Montana for having the courage, in the first place, to open the discussion of the question in the Senate. I commend the Senator from New York for coming back with a forceful and able presentation of what are some of the possible pitfalls in

the negotiations and what are some of the opportunities. We need such discussion. When we complete discussion of this phase of the problem, we should proceed to a discussion of the Far East, and look into that question; and then be prepared to look at the question as it applies to the whole world.

Mr. JAVITS. I thank my colleague from Minnesota. I think that, as I develop my thesis, the Senator will find his thinking and mine in this situation run along nearly parallel lines.

Mr. President, first, I welcome the initiative of the Senator from Montana in coming forward with proposals. We do need, as he says, "a positive policy for peace" 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 negotiation in which West Germany will be dealing on its own but will know it is dealing not with East Germany but with the colossus U.S.S.R. itself.

I think that the basic proposition which must determine our 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 allies recognize a responsibility for the unification of Germany under freedom which we cannot properly relinquish. We cannot sanction the Soviet takeover of Berlin or any part of Germany as an aftermath of a military victory 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, as it surely will be, the concept of freedom and peace will not be absent from the scene." I wish I were as sure as he is that Berlin will once again surely be the capital of all Germany, but I think that is distinctly begging the question and assuming the success of the very purpose we intended to serve, an assumption which cannot be made, certainly, in the face of what my colleague proposes that our policy should be.

For, what is at stake is the fate of Europe and the fate of peace, not alone the fate of Germany. Berlin is not just a city, Berlin represents the most urgent point of contact between the leading powers in the free world and the Soviet Union.

And, most critically important, what we think will happen in Berlin is not nearly as important as what the Germans think will happen in Berlin. And to the Germans, as is shown by the statements of their leaders, negotiations between East and West Germany about Berlin represent the abandonment of Berlin by the leading powers of the free world who alone can maintain the free world's position there and give hope of a Germany unified in freedom and integrated into the European community—the best assurance against a return of German aggression.

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 thinks they are that counts."

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 vitally important. We Americans are 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 of the Soviet's own construction of the agreements made with the Soviet Union with respect to Germany as well as with respect to the countries behind the Iron Curtain.

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 U.S. Ambassador on November 27, 1958, announcing its unilateral policy on Berlin:

The governments of the three powers (United States, United Kingdom, and France) are seeking to keep in 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 implied but clear, that we join in the denunciation 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 vacuum but must 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 foreign ministers after the conclusion of the war. It was originally proposed under the Potsdam Agreement of 1945 that the four powers should prepare Germany for reconstruction of its political life on a democratic basis with freedom for all democratic political parties, and that the Allied Council of Ministers should prepare a German peace settlement to be 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, failing that, put East Germany under Communist control, sup-

pressed its freedom, caused its economy to be communized, rearmed East Germany, 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?

Does the Senator refer 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 in order to make the shift which was made with Poland.

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 Germanys are unified, does the Senator envisage there may be a problem connected with this so-called truncated area east of the Oder-Neisse—the irreducible, 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 that one has to deal with the real 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 proposal of November 27, 1958, in regard to 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 a 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 these aims, especially 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 supplies to West Berlin of the necessary raw material and foodstuffs on a commercial basis."

If the wolf in Little Red Riding Hood could talk, this is what he would be saying.

Considering the history of the Soviet Union and its operations in Eastern Europe and elsewhere, could anyone doubt for a minute that this is serving notice that the Soviet Union will impose promptly, through its puppet Communist German Democratic Republic of East Germany which surrounds Berlin, full economic control over the free city of West Berlin, a control inherent in the power of economic strangulation. And that will be the end of West Berlin as it has been up to now 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 for 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 permit it 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? [Laughter.]

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 Montana.

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 emphasizing that point.

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

Mr. JAVITS. I yield.

Mr. COOPER. I do 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 us the benefit of his 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 this fact into account when we judge the Soviet purpose in delivering an ultimatum over Berlin.

I very much hope that this debate, in which other Senators will undoubtedly join, will awaken the Congress and the people of the country to the fact that we may be facing one of the most dangerous crises we have faced with respect to Soviet Russia.

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 this 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 in negotiations 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 respect to the final solution 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 allied 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 Mr. Dulles is doing this. 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 Needed," 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—is of such a character that it compels us 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 which is good for me? If so, is it a proposal which could be accepted by the other side?" Otherwise we completely outrade 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, unbiased, down-to-earth interest he has always shown in the field of foreign affairs. While he may deny that he is an expert and an authority, 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 de Chaillot in 1951, delegations representing both East and West Germans came before the Senator's committee and represented the two parts of Germany in a discussion on the question 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 Governments of West Germany and 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 was finished, it 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 kind taken 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. I agree 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 that would reunite Germany democratically. If this is a possibility, we may consider that all troops might be withdrawn from Germany if Russian troops retired behind Russian borders.

I see one common interest as a basis of negotiations. If we can assume that Russia does not want war, as our country does not want war, there may be 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 in the Senate on perhaps the most crucial international question which today confronts not only the people of our country, but also the people of the free world.

I seek information 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 to the effect that the General 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 Western 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, and that then 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 dim recollection of the incident referred to by the Senator from California. I am sure we can take it as a finding of fact that that is the position taken by the Soviet Union and all of its satellites, that they will not let anyone in to investigate the question of whether any free election 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 with 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 recognizable goal of Communist policy to make the whole of Berlin part of the so-called German Democratic Republic. No amount of talking can divert attention from this.

This is the summation of the point which represents the potent danger, indeed the unacceptable hazard, of negotiations between the East and West 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 before it is completely left at the post—abandoned, the victim, with no negotiating power whatever. We need not guess about this. The whole attitude of the West German Government and the government of West Berlin confirms for us the 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 Senator from New York, 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 free Germany. I believe 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 discuss the 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 in support of 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 after I have concluded 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 proposals for four-power negotiations, with East and West German advisory participation. The proposals, some of which are on the table, and some of which are not—and I will try to distinguish between them—are suggestions on which the four powers can negotiate and still have the flexibility to which we have referred. The proposals 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 immediate 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.

Fourth. The Western Powers have indicated their interest in entering into a European security pact, superimposed on both the NATO alliance and the Warsaw Pact alliance, to meet the 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 European states into satellites is not condoned or approved.

In that respect, we should all recall the words of the Senator from Montana that East Germany is but one example of the 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 East Germany, then we will begin to unlock the door of central Europe, while if we relegate East Germany to Soviet serfdom, 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 pacts to be made self-enforcing through effective systems of inspection and control under United Nations auspices. It is well known that those negotiations have gotten nowhere.

Under the spur of German reunification, these negotiations can be consummated. One way out of the present impasse at Geneva opened by a European settlement would be the acceptability of a short-term notice period for terminating any agreement entered into at Geneva, thereby relieving the parties of fears of being parties to an agreement with the operation of which they are dissatisfied, and to which they are tied for a long time.

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. Am I correct that under the fourth point enumerated by the Senator, he is advocating the possibility of entering into a European security pact?

Mr. JAVITS. The Senator is correct.

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, the conference against surprise attacks—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 I made a week ago today, covers the same territory in mentioning the Rapoocki and Eden plans, and predicating consideration being given to them on reasonable agreements which may emerge from the Geneva conference on surprise attacks and the suspension of nuclear tests?

Mr. JAVITS. I do.

Mr. MANSFIELD. So we are in agreement.

Mr. JAVITS. I welcome more and more the areas of our agreement. I think I pointed out at the very inception of my speech the principal area of disagreement, which I did my utmost to narrow; and I am now demonstrating that, notwithstanding my conviction that we would be selling freedom down the river if we let the East and West Germans negotiate this deal, I still retain a considerable amount of faith that this whole picture can be cleared up. So I am delighted, rather than displeased, that there are areas of complete agreement between us as to where the flexibility ought to reside in terms of security pacts.

Mr. MANSFIELD. I am sure that the areas are more than merely the two enumerated.

Mr. JAVITS. I am sure of that, too.

This whole program, some of which the Senator from Montana, as he truly says, has outlined too, adopts again the negotiating policy we have found best with the Russians—just as is advanced in the Baruch-Hancock atomic weapons control plan—the step-by-step approach by which each act done depends on the completion of the preceding one.

It is very interesting that Khrushchev rejected this idea in the speech which he made just the other day, in which, incidentally, he got himself further out on a limb in terms of the use of force. He said, in practical effect, that the Russians have nothing to negotiate; that they do not have any accommodation for the idea of step-by-step activity; that there is nothing for them to negotiate. But I do not think that either the Senator from Montana or I or anyone else is confounded by that philosophy. That is the technique of putting up a tough front, an unyielding attitude.

But I do not think that any of us can forget that when we did a real good job on the Berlin airlift, notwithstanding all the truculent statements which were made about the Berlin airlift, the Berlin airlift turned out to be successful. The Russians quit when they knew they were licked—not licked in any military sense, but licked in the sense that they understood the non-support by the people and the antagonism of the people of the whole world, and the successful lapse

of time in order to bring about both things.

I think we ought to take a stern lesson from that when we are talking about the situation and the way in which it ought to be negotiated.

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 Nations consideration will be sought before there is any serious countermove by the Western Powers against an effort to impede access to West Berlin; and, finally, I think it is clearly implied that United Kingdom, United States, and French countermoves 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 which everyone understands, 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 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 Senator 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 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.

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 countermove 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 U.K.-U.S.-French countermoves will 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 Secretary Dulles, 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 Senator agree that attempts made to widen further the field of maneuver and the area of negotiation might be in the best interests of the Western nations and might be used to strengthen the hand of Secretary Dulles in conducting negotiations affecting Berlin and Germany?

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 against East and West German negotiations, because they will affirmatively and clearly sell Germany down the river. That is the whole point of the debate this afternoon.

Mr. MANSFIELD. As I understand the resolution, which I assume the Senator will submit, it contains something to the effect that the United States should continue to seek four-power negotiations with the Governments of France, Great Britain, and the U.S.S.R., with the West and East German governments as advisory in such negotiations, as the means whereby a 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 with me. I hope very much we can agree.

I hope very much that we can agree, because the various areas that both of us have described as "flexibility" are, as everyone knows—and quite properly so—the result of an apparent determination by the U.S. Government. 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 based upon the position 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 considered policy which is not rigid, 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 and the West Germans "go at it." I am opposed to that; and that is what I have addressed myself to today.

If we are departing from that, and if now we are getting to what is now the Western formula, that is fine; and I am delighted that all the things said and done apparently have had a beneficial effect upon the thinking with which we began a week ago—the idea of East-West negotiations about Berlin and, incidentally, about Germany.

Mr. MANSFIELD. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Of course, the first resolve of the 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.

The 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 treated as 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 correct?

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 Secretary of State has indicated that "under proper circumstances" the Western Powers would treat the East German puppet government as the agent of the Soviet Union.

Mr. JAVITS. 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 be the adviser to the three Western Powers, when negotiating; and the East German Government, we assume, would be the adviser to the Soviet Government—although the Soviet Government would not have to have the East German Government as its adviser, if it did not wish it to be. But the essential framework is the four-power negotiations.

As I have said a dozen times this afternoon, we began with the proposition that we are going to be led out of this wilderness, so said the Senator from Montana, when we have East German and West German negotiations for the unification of Berlin and of Germany.

I have yet to analyze the letter written by the Senator from Montana to the New York Times—the letter in which he also begins to depart from that position. As I have stated, if he wishes to depart from the position, I am delighted. But let us not fail to remember where we started and why I have made this speech.

Mr. MANSFIELD. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from New York yield to the Senator from Montana?

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 should consider them 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 on the road to Berlin. 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 speech; 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, which is what we are offered in the prospect for negotiation between East and West Germany about Berlin; or whether we must, under the imperatives of our position, choose what seems to be the harder way, but is to me by far the more secure and the more sure: being willing to take time, to run risks, to enter into extended negotiations time and again, while standing by the fundamental principle upon which the whole morality of our policy is built—the principle of the self-determination of peoples and of the United Nations Charter.

We have now been in Berlin for 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—14 years—without seemingly any change in the Soviet "nyet." Why, therefore, should we be in a panic about a particular solution on Berlin which nearly suits the Soviet Union, only because the U.S.S.R. is threatening us with a deadline? The answer is that we cannot afford to do so. Indeed, all of the sacrifice we are making now in respect of our foreign aid, education and information, and defense programs indicates that we cannot do so, and that we are prepared with fortitude to bear the burden which is implied until solutions secure for peace are arrived at.

I applaud—I believe my friend, the Senator from Montana, used these

words—the challenge inherent in the proposals suggested for us by the Senator from Montana and his courage in bringing them forward. They are stimulating and provocative, and, therefore, are good for the country, and this is the spirit in which I am discussing them today. I want very much to discuss them today, and I hope I have been successful. It is my hope, because I think it is in the best interest of the country, that this discussion of the alternatives which are presented will firm us in our determination with respect to the rightness of our course, as we have recently crystallized and molded it, regarding the problems of Berlin, of Germany and of peace, as affected by them.

I have drawn up a resolution which carries out, for practical purposes, the ideas set forth in my speech, at least in terms of some expression on the part of the Senate of the United States.

Mr. President, I now submit the resolution, and request that it be appropriately referred.

The resolution (S. Res. 85) submitted by Mr. JAVITS, was referred to the Committee on Foreign Relations, as follows:

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 exercise of democratic rights and free political life exists in Germany only in the western sectors of Berlin and the Federal Republic of Germany; and

Whereas the United States, in concert with Great Britain and France, and in agreement with West Germany, has repeatedly reiterated its firm intention to protect the freedom of the city of Berlin and to take whatever action is required to sustain this end; and

Whereas these free democratic powers have, in fact, at great sacrifice participated in the airlift when Berlin was previously subjected to similar pressure; and

Whereas these actions by the United States, France, and Great Britain have been taken at the repeated request of the free citizens of West Berlin and of their freely elected government; and

Whereas these citizens by overwhelming vote have but recently reaffirmed their intention to remain part of the free world and to resist, at whatever cost to them, any effort to incorporate them into the East German puppet regime; and

Whereas the United States, United Kingdom, France, and West Germany have notified the U.S.S.R. of their willingness to hold a foreign ministers' conference promptly to discuss the unification of Germany and Berlin, and stating that it is suggested that German advisers should be invited to the conference and should be consulted; and

Whereas the people of the United States regard the freedom of the city of Berlin to be vital to the peace, safety, and freedom of the free world; and

Whereas the abandonment of Berlin, in whatever guise, would force not only free Berlin but all of Germany to seek a compromising accommodation with the Soviet Union; and

Whereas the isolation and neutralization of Germany demanded by the Soviet Union as a price of such accommodation would inescapably make that country a marshaling ground for further Soviet advances, undermining the North Atlantic Treaty Organization, destroying the painstaking constructive

work toward European unification, atomizing the European Continent once again into isolated and indefensible states, 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 and the 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 U.S.S.R. in a conference on the means whereby a free and united Germany may be created and to suggest that German advisers should 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 abrogation by the U.S.S.R. of the agreements regarding Germany or Berlin as affecting in any way the rights and responsibilities of the Western Powers whatever 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 spirit of understanding and support of the trials of the people of West Berlin in the present crisis.

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

Mr. JAVITS. I shall yield to my colleague in a moment, because I wish to explain this.

Since I prepared this resolution, which was done yesterday, I heard from and collaborated with my friend from Connecticut [Mr. DODD] in the drafting of a resolution which he submitted earlier in the day. I believe that resolution expresses, indeed more clearly, exactly what I had in mind. I am delighted he undertook the initiative of drafting it. I shall join with him in urging prompt consideration of his resolution.

There is only one paragraph in mind which I hope very much will be carried forward here, and which the Senator from Connecticut did not include, because I suggested that he not include it—he would have been glad to do it—which I should like to suggest to my friend the deputy majority leader, the Senator from Montana [Mr. MANSFIELD], who can do more about it than can anyone else. That language reads:

Resolved, That a special committee of seven Senators be appointed by the Vice President and sent to West Berlin to express to the "senat" of that city's government the Senate's spirit of understanding and support of the trials of the people of West Berlin in the present crisis.

I have in mind that the delegation of seven Senators may be physically in Berlin on May 27, 1959, the date the Soviets have put a red ring around.

I yield now to my colleague from Connecticut.

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, not only in this body, but throughout the country. I know that the Senator from Montana intended to do just that too. I commend the Senator from New York 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 on any other in the week 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 our true posture.

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 needs to be done.

I cannot 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 area of agreement that exists. 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 offered 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 key question is not the reunification of Germany important as that is. I think that is true. I wonder if he will agree as well that the key question is not a settlement by the ultimatum date, important as that is. The key question here is the survival of the free world, which will be impossible if West Germany is swallowed up by the Communists. That is the real issue as I understand it. I 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 we all believe, and I think the 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 get 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. 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. I know he was considered in the House, and nationally, for that matter, an especially well-informed Member of Congress on the complex problems of Germany.

I think 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 now accept the basic position of the Soviet Union to allow negotiations to take place between the Governments of West Germany and East Germany, respectively, about the unification of Berlin and of Germany?

I think that statement sums up the argument.

I think a great service has been rendered today by bringing the subject to the floor of the Senate and to the attention of the American people.

Along with the Senator from Connecticut, I have had much mail on the subject during the last week or 10 days. People are, let us say, uncertain as to what our course should be. I think the Senator from Montana rendered a service in getting the people started in thinking about the problem. If I may say so, I think the Senator from New York has put the matter back on the track.

I should like to make one other brief observation. In the latter part of the colloquy, mention was made as to the agency relationship of East Germany to the Soviet Union. It is a puppet government. There is no use kidding ourselves. Its policy direction comes from the Kremlin. Call the East German officials agents, call them what you will, they are actually getting their entire policy direction—their orders, so to speak—straight from the Kremlin. So it is simply and purely an academic question. If the Soviets themselves want to sit down and negotiate, or if they want to say, "This is my hired man who will sit down and negotiate," it is pretty much one and the same.

Mr. JAVITS. I thank my colleague. He has put his finger exactly on my major premise.

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

Mr. JAVITS. I yield to my colleague from New York.

Mr. KEATING. I want to join in commending my senior colleague, the Senator from New York, for his presentation today and for the very concise manner in which he has stated the differences which exist in the methods for dealing with this problem, as well as the similarities. The Senator from Montana did undoubtedly serve a useful purpose, and is to be commended for starting off this discussion. But I desire to align myself firmly with the senior Senator from New York on the proposition that negotiations must be engaged in by the four major powers; that it would be fatal to leave the negotiations to the West German and East German Governments, as suggested by the Senator from Montana. The principal reason is that the Soviet Union would completely dominate and direct the negotiations on the other side. It is neither our desire nor our purpose, nor that of France or the United Kingdom, to attempt to act, think, dictate, or direct the West German Government in the manner that the Soviet Union has controlled over the East German Government.

If the Senator will permit, I should like to add this statement: I feel very strongly, in line with the expression of the Senator from Connecticut, with which I understand the Senator from New York is in agreement, that Berlin has become a symbol and a transcendental issue, but the stake in these negotiations is not the fate of a city or of a country or even of a continent—it is the whole future of freedom which is at stake.

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 cannot be isolated from 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. Any overall 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.

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 Senator from Kentucky and the 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 Germans in discussions 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 problem is to be met.

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 part, however, which must be dealt with from our point of view on an interim basis of priority, because it is there that the Western military position is 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 test various possibilities which 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 anyone else in the West knows at this time. Is it inconceivable that they may not include something other than free all-German elections at least in the initial stages? Until the 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 crisis in Germany.

If we will think and talk about the Berlin and German situations before the deadline, then I think we shall be on the way to making the correct decisions. I repeat, the time to think and talk is before May 27, not after the deadline has been reached, as was the case with regard to Korea, at which time we asked our questions and raised the postulates after we were involved.

As the able Senator from New York has pointed out, we still have 3 months before the impasse of the deadline takes place.

Mr. President, with the permission of the Senator from New York I should like to ask unanimous consent to have printed at this point in the RECORD the letter I wrote to the New York Times, which was published in today's issue of that paper.

Mr. JAVITS. Of course, Mr. President, I am very glad to concur in that request.

Mr. President, if the Senator will be kind enough, I ask that he add to his unanimous consent request the printing of the editorial from the New York Times of February 14, to which the letter was addressed.

Mr. MANSFIELD. Yes, Mr. President, I ask unanimous consent that the

editorial which was published in the February 14 New York Times be printed prior to the printing of the letter which was published in this morning's New York Times, because the letter which was printed in this morning's paper is in effect an answer to questions raised in the editorial; an answer, in my opinion, to a challenge which had to be accepted, which I tried to do to the best of my ability.

Mr. JAVITS. I thank my colleague.

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

THE MANSFIELD PROPOSALS

The Western Powers are now engaged in a wholesale review of their policies on Germany in an effort to meet the Soviet ultimatum on Berlin with new initiatives and programs designed to test to the limit of any possible Western concessions the real Soviet intentions. Meantime the search for new programs and formulas continues, and while it continues a contribution of any new ideas and suggestions can be only welcome and helpful.

An attempt to make such a contribution has been made by Senator MANSFIELD, recognized as a Democratic expert in foreign affairs. In it the Senator has made some points which need constant emphasis. He is right in emphasizing that the problem of German reunification is the key to the peace of Europe and that this problem is now moving toward a crisis. He is equally right in calling on the administration, Congress and the whole West to stand fast in Berlin. He is also right in emphasizing that German reunification must be accompanied by a security system that safeguards both Germany's neighbors and Germany itself.

But in attempting to work out formulas for attaining these ends Senator MANSFIELD has been lured into propositions which can only throw confusion into the Western ranks, impair Western unity and encourage the Soviets to press for a Western surrender. Indeed, there is an ominous, though of course unintentional, parallel between Senator MANSFIELD's proposals and those of Premier Khrushchev.

Like Premier Khrushchev, Senator MANSFIELD insists that there are now two German States, or political authorities, even if East Germany is ruled by puppets manipulated by Moscow, and that therefore German reunification can no longer be brought about by the Big Four powers but only by talks between the two German regimes. If such talks involve a degree of recognition of East Germany, the Senator is willing to accept that, ignoring the fact that in practice this means either recognizing German partition or forcing West Germany into a deal with Moscow as East Germany's master.

Like Premier Khrushchev, who insists on preserving the social gains (meaning the Communist regime) in East Germany, Senator MANSFIELD is willing to accept a not fully representative democracy in East Germany, which would make the East German regime the Communist Trojan horse in a united Germany. He thinks that East Germans should have some genuine choice in the form of control exercised over them, but regards free elections as merely unrealizable slogan—without making any suggestions as to how a genuine choice is to be manifested under a Communist regime.

Finally, and perhaps immediately most important, Senator MANSFIELD, like Premier Khrushchev, proposes to take Berlin out of the context of the German problem and deal with it separately. The Senator would reunite Greater Berlin under an all-Berlin government, withdraw the Western forces and replace them first with a United Nations police force and later with German militia.

under NATO guarantees. Quite aside from the fact that the Soviets have already annexed East Berlin to East Germany, and that West Berlin belongs to neither West Germany nor NATO, this proposal not only prejudices Western rights in Berlin but is the surest way to a conquest of free Berlin by a Communist-dominated militia.

Senator MANSFIELD admits that he can be wrong. He is wrong, we believe, on these 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 rectified 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.

As for the need for talks between the two German authorities, I did not equate two authorities with two Germanys, a distinction which you passed over. Let me assure you, therefore, that I have no desire to formally recognize the German partition. My suggestion was meant to point out that the 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 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.

EXPLORING POSSIBILITIES

Your second concern may be the result of a hasty reading of the speech. You say I regard "free elections as merely an unrealizable slogan." If you will re-read the text you will find that I said "free all-German elections." Certainly free elections are devoutly to be wished for; but I see no likelihood of free all-German elections. My thought was that it would be worth while exploring the possibilities of assuring free peaceful political expression in the Eastern zone of Germany and free elections in each zone separately, 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 your concern derives from a misinterpretation. First you say that I propose "to take Berlin out of the context of the German problem." Certainly Berlin is a part of the total German problem. It is also the part which requires the most immediate attention. To deal with Berlin in that sense is not to take it "out of the context of the German problem." It is to deal with it on the basis of the priority which it clearly must have from our point of view.

Your greatest concern is that I "would reunite Greater Berlin under an all-Berlin Government, withdraw the Western forces 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.

STEPS OUTLINED

I did call for efforts to reunify Greater Berlin and its public services which, incidentally, are already partly unified. I did propose U.N. conciliation. Further 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 Allied forces in the city, not just the latter, as you infer.

I did not propose that this U.N. police force would give way eventually to a Germanized militia as you stated. Quite the contrary, I introduced the concept of a German 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 editorials in other papers did understand the proposal as I intended it to be understood (i.e., Washington Star, Feb. 14).

MIKE MANSFIELD.

U.S. SENATE.

WASHINGTON, February 16, 1959.

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 junior 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 85, 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 exercise of democratic rights and free political life exists in Germany only in the western sectors of Berlin and the Federal Republic of Germany; and

Whereas the United States, in concert with Great Britain and France, and in agreement with West Germany, has repeatedly reiterated its firm intention to protect the freedom of the city of Berlin and to take whatever action is required to sustain this end; and

Whereas these free democratic powers have, in fact, at great sacrifice participated in the airlift when Berlin was previously subjected to similar pressure; and

Whereas these actions by the United States, France, and Great Britain have been taken at the repeated request of the free citizens of West Berlin and of their freely elected government; and

Whereas these citizens by overwhelming vote have but recently reaffirmed their intention to remain part of the free world and to resist, at whatever cost to them, any effort to incorporate them into the East German puppet regime; and

Whereas the United States, United Kingdom, France, and West Germany have notified the U.S.S.R. of their willingness to hold a foreign ministers' conference promptly to discuss the unification of Germany and Berlin, and stating that it is suggested that German advisers should be invited to the conference and should be consulted; and

Whereas the people of the United States regard the freedom of the city of Berlin to be vital to the peace, safety, and freedom of the free world; and

Whereas the abandonment of Berlin, in whatever guise, would force not only free Berlin but all of Germany to seek a compromising accommodation with the Soviet Union; and

Whereas the isolation and neutralization of Germany demanded by the Soviet Union as a price of such accommodation would inescapably make that country a marshaling ground for further Soviet advances, undermining the North Atlantic Treaty Organization, destroying the painstaking constructive work toward European unification, atomizing the European Continent once again into isolated and indefensible states, 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 and the 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 U.S.S.R. in a conference on the means whereby a free and united Germany may be created and to suggest that German advisers should 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 abrogation by the U.S.S.R. of the agreements regarding Germany or Berlin as affecting in any way the rights and responsibilities of the Western Powers whatever 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 spirit of understanding and support of the trials of the people of West Berlin in the present crisis.

SENATE RESOLUTION 82, BY Mr. DODD

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 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 better served by a free West Germany within the Western Community than by a superficially reunited Germany afflicted with a Communist East Germany.

4. 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.

5. Whoever may be in nominal control of East Germany, the United States should enforce its 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 letter of my colleague 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 ideas. I think that is very good.

The Senator said:

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. We must draw these things in closely together. I shall not go into detail as to whether the Senator would have the Germans participating parties or not; I will say, simply, they could be advisers if the main negotiating parties wanted them to be. The point is that we should narrow the ground as much as we can. I hope and believe we can come to a common opinion.

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. I express the hope that both of us, representing both parties, perhaps have been able to make a contribution to the foreign policy of this country which will redound to the interests of our people, to the interests of our allies in Western Europe, and, I would hope, most especially to the interests of the people and of the Government of West Germany as well.

Mr. JAVITS. I thank my colleague.

Mr. President, while I still have the floor, I should like to ask my distinguished colleague from Wyoming [Mr. MCGEE], who has been very forbearing, to permit the junior Senator from New York [Mr. KEATING] and me to request

action on a resolution as to the passing away of DAN REED in the House of Representatives. The junior Senator from New York and I promise not to take more than 2 minutes each to make a statement in this regard.

TRANSCRIPT OF NEWS CONFERENCE HELD BY SECRETARY DULLES

26. Question. Mr. Secretary, is it our position that free elections are the only method of reuniting Germany? In other words, do we say, "No free elections, no reunification?"

Answer. Well, we never have said that. The formula of reunification by free elections was the agreed formula. It seems to us to be a natural method. But I wouldn't say that it is the only method by which reunification could be accomplished.

29. Question. Mr. Secretary, to clarify an earlier answer that you made, you said that "free elections are the natural method for unifying Germany, but it is not the only method." Could you tell us what other methods there might be which could be acceptable to us and the West Germans and our allies?

Answer. No, I wouldn't want to speculate about that. There are all kinds of methods whereby countries and 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' NEWS CONFERENCE OF JANUARY 27, 1959

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 Germany might be reunified. 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, some of the interpretations. 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 had said earlier that reunification by free elections was the normal method and the agreed method and represented U.S. policy. Then I was asked the question, "Does that mean that no free elections, no reunification?" and I said, no, we could not take the position that we would reject reunification merely because it came about by means other than free elections. But I also said later on in answer to another question that we did not at the moment have any alternative means in mind.

Now, anybody who knows history—and the American history is a good example—knows that unifications and reunifications can come about by means other than free elections. The original unification of this country came about through legislative action of the States, not by any general elections. The reunification that occurred in 1865 did not come about through free elections. And in the case of the unification of Alaska into our Union, there were general elections in Alaska but there were no general elections held in the United States on that subject.

So our own history illustrates a variety of ways by which unification and reunification can occur. And nobody can say that free elections are the only means by which there can be reunification. I would say that we would all be delighted if you would get a reunification of Germany, an effective reunification of Germany, by any means. But whether there are other means than free elections, I don't know. But you will recall that free elections is the agreed method. That was agreed to at the summit conference.

Question. Well, Mr. Secretary, in the context of the known public Soviet position and

the known Western position, is it a fair interpretation to say that you're willing to sit down with the Soviets and discuss all possible ways that they may suggest or we may suggest which might bring about reunification—free elections or otherwise?

Answer. The essential point, the heart of the matter, is reunification. The method is less essential, as long as it is a method which achieves the result and assures that the result is obviously desired by the people. You don't want to impose anything against the people's will. But the main thing is to get reunification of Germany in freedom, as it has sometimes been put. It was agreed at the summit that the reunification should be brought about by means of free elections. And the Soviet Union agreed to that. That was a tough negotiation. I have never sat through a tougher negotiation than the secret session at which finally that was agreed by the Soviet Union, including Mr. Khrushchev himself.

Now, if they want to suggest another method than the method they have already agreed to, it is I think primarily up to them to suggest the alternative and not up to us. We do not relinquish the agreement that we have merely in order to have what may be a kind of a wild goose chase looking for another method. We stand on the agreement that we have. If the Soviets have another method and say, "We don't want to have reunification by free elections but we are willing to have it some other way," we would of course listen to any proposal that they make. But it seems to me the primary responsibility to suggest an alternative rests upon the Nation which wants to get out of its present agreement, which is an agreement to do it by means of free elections.

Question. Well, does that mean, sir, that you do not consider their apparent qualified disposition toward confederation as a new alternative?

Answer. No, I do not. Quite to the contrary. Both the proposals for confederation and the proposal for a peace treaty with two Germans are obviously designed not to bring about reunification but to perpetuate the partition, the division of Germany and to formalize it for an indefinite period of time. In other words, I consider them as proposals not for reunification but as proposals for permanent partition.

DEATH OF REPRESENTATIVE DANIEL A. REED, OF NEW YORK

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The Chair lays before the Senate a resolution from the House of Representatives, which the clerk will read.

The legislative clerk read as follows:

Resolved, That the House has heard with profound sorrow 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 attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect, the House do now adjourn.

Mr. JAVITS. Mr. President, on behalf of my colleague from New York [Mr. KEATING] and myself, I send to the

desk a resolution which I ask to have read, and for which I ask present consideration.

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 the announcement of the death of Hon. DANIEL A. REED, late a Representative from the State of New York.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives 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 the Senate, at the conclusion of its business today, adjourn until Monday next.

Under the second resolving clause the Presiding Officer appointed Mr. JAVITS and Mr. KEATING as the committee on the part of the Senate to attend the funeral of the deceased Representative.

Mr. JAVITS. Mr. President, a tall, straight tree in the forest has fallen. Last night DANIEL ALDEN REED, of Dunkirk, N.Y., attorney, Congressman, devoted family man passed on at the age of 83. A former All-American football player, he deported himself always as the 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 in the House of Representatives. He was formerly chairman of the Committee on Ways and Means. He was the senior Republican on that committee for many years. I believe every Member of the House knows how DAN REED fought with all his heart and soul for economy, for strong money, and for integrity 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 1955, 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 colleague will perhaps deal with another phase of DAN'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 it when one looked at him, even in his eighties.

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 years as a hobby.

Based upon his feeling for football, and the great reputation he achieved 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 sport which takes the best 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. KEATING. Mr. President, 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 grand and good soul. His lifelong service to the people he represented and his unswerving dedication to the causes which he felt were just and right serve as beacon 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, endeared him 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 sound advice when asked.

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 staunch champion. The Congress and the Nation are the richer for DAN REED's years of dedicated service. All of us mourn his passing and extend our most sincere sympathy to his devoted wife and son in this sad hour. They can derive comfort, however, from the realization that DAN REED will live forever in the hearts of his host of 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 the 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,
St. Paul, February 11, 1959.

HON. JOHN STENNIS,
U.S. Senator,
Washington, D.C.

DEAR SENATOR STENNIS: I acknowledge your letter of January 19 and note with appreciation your special interest in forestry research and its support by the Federal Government.

I referred your letter to the several divisions within the department of conservation which have an interest in forestry and its multiple uses. Their reports indicate 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 of our lucrative recreation industry.

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, seeds, and the young seedlings. Research in preventing such losses could mean a solution to the continuing and costly process of tree planting. Aspen, a major tree, covers 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 resource. The need for studies of the many watershed problems associated with the use made of our northern forests was recognized many years ago. A catastrophic effort was made to drain these forest areas and convert them to agriculture. The land, although ideal for trees, proved unsuitable for farming, and the counties were left with debts they could not pay. The damaging effect on ground-water recharge and flood stage is still unknown.

Our department of conservation, as well as sportsmen, 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.

Heavy 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 more water for irrigation. Yet no one knows the value of these vast bodies of water as a source of ground-water recharge or a stabilizing influence on streamflow.

We realize that there are several other fields of work where more basic research, including facilities, are required. These include recreation, wildlife, marketing, and utilization. In each a substantial increase in the research effort would be money well spent in the Lake States region. We sin-

cerely feel that these areas of research will be needed to round out the research effort nationally. Locally, however, we feel that research on insects and disease, watershed management research, and wildlife habitat research have too 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 million acres. Present research needs to be accelerated.

(b) Insects attacking seed and plantations—a 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-rots 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. Research to lead to 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 work at Grand Rapids where lack of knowledge about wildlife food and feeding habits is a deterrent to solution of forest yields.

We also hope that adequate funds will be provided the Lake States Forest Experiment Station to complete the facilities which will be provided through 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 and greenhouse.

We hope your efforts to provide basic information founded on thorough research will be successful.

Very truly yours,

GEORGE A. SELKE,
Commissioner of Conservation.

THE ECONOMIC GAP

Mr. KENNEDY. Mr. President, the attention of the Congress and the American people in recent weeks 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 allude will not reach the point of critical danger in 1961. That point has already been reached.

Unlike the missile gap, the gap to which I refer is not even on the surface being reduced by the combined efforts of our executive and legislative branches. It is, on the contrary, consistently ignored and steadily widening.

Unlike the missile gap, the gap to which I refer gives rise to no speculation as to whether the Russians will exploit it to their advantage and to our detriment. They are exploiting it now.

I am talking about the economic gap, the gap in living standards and income and hope for the future, the gap between the developed and the underdeveloped

worlds; between, roughly speaking, the top half of our globe and the bottom half; between the stable, industrialized nations of the North, whether they are friends or foes, and the overpopulated, underinvested nations of the South, whether they are friends or neutrals.

It is this gap which presents us with our most critical challenge today. It is this gap which is altering the face of the globe, our strategy, our security, and our alliances, more than any current military challenge. And it is this economic challenge to which we have responded most sporadically, most timidly, and most inadequately.

Since the truce negotiations in Korea began 8 years ago, it should have been obvious that our greatest danger was no longer military. Since the Russians began their aid and trade penetration of the underdeveloped world some 5 years ago, it should have been obvious now that if India were to fall, if Latin America turned away and if the Middle East slid behind the Iron Curtain, then no amount of missiles, no amount of space satellites or nuclear-powered planes or atomic submarines could ever save us.

And yet our response to this economic gap has never equalled our obligation or our opportunity. The problem is neither regional nor temporary—it is global and long range. Our response has sometimes been wasteful in expenditure and grandiloquent in rhetoric—but it has never been global and long range.

We have reacted ad hoc to a crisis here and a crisis there, year by year, region by region. When the Latin Americans throw rocks at the Vice President, there is finally talk of a Latin American loan fund. When a friendly monarch is threatened in the Middle East, money is dispersed helter-skelter while there is brave but brief talk about an Arab development fund.

Let there be pressures from a north African nation and there is talk of economic aid to meet that crisis in that nation at that time. Let there be a foreign exchange crisis in India threatening all democratic hope in India and free Asia as a whole—and we bail the Indians out, at an inadequate level, for 1 year only.

This policy of using money on a crisis basis, from year to year, wherever difficulty arises, is expensive and ineffective. It is wasteful of our funds. It fails to stimulate effective long-range planning and effort by the recipients. It denies us the opportunity to impose meaningful standards for the use of our aid or significant requirements as to what they must do to match it. There is no follow through, no consistency, no attempt to match our effort to their need and our resources. And so, among the nations of the world, the rich grow richer as the poor grow poorer—with less capital and more people and fewer hopes. It is this kind of atmosphere which increases the appeal of a narrow nationalism and dictatorship which argues that economic interdependence with foreign nations is ominous.

The United States of America, the richest Nation on earth, has not given the poorer nations new hope. But it is

an unfortunate fact that the Soviet Union and particularly China, have attracted the attention of the underdeveloped world to another, and seemingly quicker, route to closing the gap. Communist China's great leap forward was the primary event of 1958. We may discount her official figures—which claim to have doubled both agricultural and steel production—but they are based on a hard substance of fact, and they carry credibility in other nations.

China and India are roughly comparable in terms of their historic stages of economic growth and in resources; but China's rate of economic growth in 1958 was at least three times as high as India's. Especially in agricultural development and food production, where India's performance has been sagging, the Chinese record carries great appeal to underdeveloped Asian nations uncertain of which economic route they should follow. A top Ceylonese official was quoted earlier this year as expressing unrestrained admiration for Red Chinese economic achievements.

Within the last year the Chinese have produced their first automobile. Within the next year they may have launched their first earth satellite. Even more seriously, they may well begin to take their place among the select company of nuclear powers. This has been accomplished in part with the nearly \$3 billion in credits which China has received from the Soviet Union since 1950, and the over 200 major industrial projects to which the Soviet Union has given technical and machine assistance. But perhaps more significant for the future is the fact that China has become a major trading nation—not only in southeast Asia, where she is gradually supplanting Japan, but also in the growing trade movements to Europe and Africa. Peking has used its position to launch a trade price war which supplements impressively the foreign economic offensive which the Soviet Union launched 3 years ago. Indian primary products such as manganese ore and oil seed, for example, now suffer heavily as a result of China's price competition.

In a year when China may well have increased her overall food production by one-half, Indian food production rose only by a few bare percentage points. Last year India produced only slightly more than 60 million tons of food grains, yet the minimum annual need for India at the start of her third 5-year plan 2 years from now will be 80 million tons. For the first time in modern history a government appears to have found a way—however brutal its human defects—which appears to solve the problems of large peasant underemployment and labor surplus. The mobilization of the unemployed mass of Chinese rural workers through economic communes, cottage industry, small pig-iron schemes, and all the rest is an achievement whose political and intellectual impact in less developed areas is bound to be immense.

We know that in a nation of stable population which is in the process of economic takeoff a program of investment of at least 8 percent of national income is necessary, for an annual growth

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, it requires an additional 6 to 8 percent of investment if national income growth is not to be offset by the rise in population. During the past year India has had a national growth rate of only 3 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, but the cutbacks in her plan and bad harvests have blighted this achievement.

In short, to nations in a hurry to emerge from the rut 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 trade and aid programs faltered and our economy stood still—with our recession cutting the price received for commodities the underdeveloped nations must sell, while our inflation continued to boost the prices they paid for our machinery.

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. If we act now, on the right scale, in the right way, we may reverse the ever-widening gap—we may diminish the threat of a Communist takeover, and increase the chances of a peaceful evolution in India and other uncommitted, less developed areas. This year, 1959, could be the year of their economic downfall—or the year of their economic "takeoff," enabling them to get ahead of their exploding population, to stabilize their economies, and to build a base for continuing development and growth. Whichever answer emerges will shape for a generation to come the destiny of the world and the security of our Nation. And 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 based upon what the administration 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 at all.

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 taken—and one urgent one.

We can and should increase the lending limits of the World Bank and en-

large the reserves of the International Monetary Fund. But this is not enough.

We can and should achieve a better balance between military and economic assistance and a more constructive use, 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 provide not only military training 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 imaginative proposals offered to break the logjam restricting our use of surplus farm crops abroad, to ease the food crisis in such nations as India and Pakistan without impairing the markets of such friends as Canada and Argentina. We are blessed with abundance, 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 integrate it more closely with other foreign aid decisions. But this is not enough.

We can, and should, formally dedicate the year 1959 to the concept of international development, ease trade barriers and Export-Import Bank restrictions, work out international commodity agreements, expand technical assistance programs, encourage greater private investment, 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 confronted the long-run 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; experiences to be summarized and exchanged; 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 all this is not enough.

The heart of any solution must be a substantial, long-term program of productive loans to underdeveloped areas from a fully capitalized central fund, capable of working with either independent nations or regional groupings.

This is not a new concept or proposal. The need for it is not new; I make no claim to being the first to describe it. On the contrary, the tool for 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 architects here in the Senate. It has totally failed 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 become a going bank. It has never been permitted to take hold of any major foreign development effort such as India's. It has never given less developed nations a 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 consider only conventional loan applications 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 long-term 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 Congress or the administration 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 \$1.7 billion in requests which have passed the first screening. Action is still awaited on more than one-half billion dollars in 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 very many projects in very many countries. Neither will the \$700 million and 1 more year of authorization requested in the President's budget.

There 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, regardless of world developments. But there is only one responsible course which responsible citizens can approve. This 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 will not commit their 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 appropriations were not committed by the end of the fiscal year they would no longer be available. We can give recipients a strong incentive to meet serious conditions for the granting of loans only if we are in a position to hold the prospects of loans open over a period of time. Thus, continuity would actually increase the

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 picture of the necessary missions 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. We must then provide those funds for that length of time.

The alternative is chaos, not economy, a continuing of ad hoc crisis expenditures, a further diffusion and dilution of our effort, a series of special cases and political loans, an overreliance on inflexible, hard loans through the Export-Import and World Banks, with fixed dollar repayment schedules that retard instead of stimulate economic development, a lack of confidence and effort in the underdeveloped world, and a general pyramiding of overlapping, standardless, incentiveless, inefficient 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 doing the job right is not more than 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 hinge of fate in Asia.

I cite India today because of her special importance, representing as she does some 40 percent of the population in 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 represents the largest single area of opportunity 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 spoke to 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 special stake in India's economic stability and growth. 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 im-

mediate 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 increase, and a general loss of hope and morale continues 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 could not 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 assurance of substantial, long-term assistance from the Western World.

More short-term credit cannot do the job. India now has large amounts of foreign debts, both public 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 assuring short-term solvency, they only leave plans for 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 to the British and other Europeans—and these were long 40- or 50-year debentures. With the growth of our productive capacity, we gradually became a creditor nation with the ability to repay these foreign investments. There is no question that the Indians, given proper assurance and assistance, could do the same.

Moreover, the foreign exchange shortage has had the effect of holding back private capitalism in India which had shown unexpected strength. A more secure margin in foreign reserves would give to the private sector its old buoyancy, and break down the outmoded wall between private and public planning and development.

But neither the Indians nor the Americans can achieve any success in these matters if we continue to concentrate obsessively on the size of the Indian deficit and how it can be chipped away little by little. Let us concentrate instead on trying to make a success of a common enterprise which is a sensible program for the next stage of Indian economic growth.

Last year Senator COOPER and I recommended that consideration be given to the creation of an international advisory group representing potential donor nations to examine India's needs and plans, and make precise recommendations to the member governments. The case for such an international consortium is even more compelling this year. We have talked for many years about moving the Western alliance along

more constructive channels—about making something more out of it than an anti-Soviet venture. India presents us with such an opportunity—for several Western nations and Japan share a deep concern for the future of that vital area. Canada, Great Britain, Germany, and Japan would, I feel certain, have an interest in joining in a frank and realistic exchange and survey of India's future needs; and in making a proportional sacrifice and commitment to meet those needs.

Such a mission, particularly if it drew upon men of both national and international stature, such as John McCloy of the United States, Sir Oliver Franks of the United Kingdom, and Escott Reid of Canada, would be uniquely effective in providing a fresh approach, avoiding misunderstandings on both sides, encouraging the Indians in their association with the West, stimulating effective, efficient plans and appropriate lending criteria.

Such a donor's club, under the sponsorship of the World Bank, would not cut athwart any existing institutions. On the contrary, it would help to harmonize the individual aid programs of the individual nations, without trying to build a new bureaucratic superstructure. The initiative for such a cooperative examination of India's long-term needs must, of course, come from 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 MERROW of New Hampshire are submitting the same resolution on a bipartisan basis.

CONCLUSION

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, many of whom are now balanced 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 such solutions. The gap is large. 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 perpetual postponement and compromise. 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.

In short, it is our job to prove that we can devote as much energy, intelligence, idealism, and sacrifice to the survival and triumph of the open society as the Russian despots can extort by compulsion in defense of their closed system of tyranny. We can give a convincing demonstration that we have not a propaganda or crisis interest but an enduring long-term interest in the productive economic growth of the less developed nations. We can finally make it clear to ourselves that international economic development is not, somehow, a nagging responsibility, to be faced each year in the context of giveaways and taxes—but a vast international effort, an enterprise of positive association, which lies close to the heart of our relations with the whole free world and which requires active American leadership.

As a nation, we think not of war but of peace; not of crusades of conflict but of covenants of cooperation; not of the pageantry of imperialism but of the pride of new states freshly risen to independence. We like to look, with Mr. Justice Holmes, beyond the vision of battling races and an impoverished earth to catch a dreaming glimpse of peace. In the words of Edmund Burke, we sit on a "conspicuous stage," and the whole world marks our demeanor. In this year and in this Congress we have an opportunity to be worthy of that role.

Mr. President, I send to the desk the concurrent resolution on behalf of the Senator from Kentucky and myself.

I ask unanimous consent to insert at this point in the RECORD a table which records the total amounts of loans made by the Development Loan Fund through January 15 of this year.

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

[In millions]

Asia:	
India.....	\$175.0
Pakistan.....	70.2
Iran.....	47.5
Formosa.....	33.0
Israel.....	15.0
Malaya.....	10.0
Korea.....	5.7
Ceylon.....	3.2
Thailand.....	1.75
Europe:	
Spain.....	23.0
Yugoslavia.....	22.5
Greece.....	12.0
Turkey.....	10.0
Africa:	
Sudan.....	10.0
Liberia.....	3.2
Tunisia.....	2.4

Latin America:

Paraguay.....	\$6.1
Honduras.....	5.0
Ecuador.....	4.7
Argentina.....	24.75

The concurrent resolution (S. Con. Res. 11), submitted by Mr. KENNEDY (for himself and Mr. COOPER), was referred to the Committee on Foreign Relations, as follows:

Whereas the continued vitality and success of the Republic of India is a matter of common free world interest, politically because of her 400 million people and vast land area; strategically because of her commanding geographic location; economically because of her organized national development effort; and morally because of her heartening commitment to the goals, values, and institutions of democracy: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the United States Government should invite other friendly and democratic nations to join in a mission to consult with India on the detailed possibilities for joint action to assure the fulfillment of India's second 5-year plan and the effective design of its third plan.

And that the Secretary of State report to the Congress on the feasibility of such a mission after consultation with interested Governments and with the Republic of India.

Mr. COOPER. Mr. President, I am glad to join with my colleague and friend, the distinguished junior Senator from Massachusetts [Mr. KENNEDY], in the submission of this resolution. Last year the Senator from Massachusetts and I submitted a somewhat similar resolution, which was adopted by the Senate. It expressed the sense of the Senate that the United States should give its support to India's economic development, as being important to peace and freedom.

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 its own people, 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 assisting India? Without minimizing our interest in the aims and objectives of other countries which are striving to advance economically and politically in democratic methods, 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.

I cannot emphasize this point too strongly. It is a simple point, but a basic one. We cannot create that faith in other people. The people must hold that faith themselves. If that faith ever fails, no aid that we can give to India, or that any other country can give to India, can of itself re-create that faith.

Today in India that faith in democratic processes is alive. The time to make our assistance effective is while that faith is vitally alive.

I make one other point. The United States does not have sufficient funds or resources, and it is unlikely that we will ever have sufficient funds or resources, to provide assistance for the developing countries of the world either in such volume or as quickly as these countries desire, and need. It is therefore important that we let our aid generate industrial strength in countries which can in turn take up their part of the burden, by making this strength available to other countries seeking to advance.

After World War II, the United States made aid and assistance available to the countries of Europe for their economic rehabilitation. Since that time, those countries have been able to assist other countries of the world in their own economic advance.

In Asia, aside from Japan, India is the greatest industrial nation. Backward industrially itself, still it is a fact that second to Japan, India is the only Asian country whose industrial development gives promise of aid to the other countries of the region. I think it is true that, given success in its second 5-year plan and third 5-year plan—and considering its great resources in hydroelectric power, coal, and iron ore—there is the possibility that India will in turn be able to assist, as Japan is now assisting, the development of other democratic Asian countries. That is a second fact of great importance.

I wish to make clear that I am keenly aware of the economic problems of our own country—of the problems which some areas of this Nation are having in terms of their economic development. I feel very strongly that we must provide for their needs. At the same time, I recognize that there are problems in other parts of the world which can directly affect our own future, and that we must continue to give attention to them.

I think it is only fair to say that in the last year, particularly, the President of the United States, Secretary of State Dulles, and Under Secretaries of State Herter and Dillon, and as well as many members of their staffs, have given real attention to the problem which the Senator from Massachusetts [Mr. KENNEDY] has so ably presented today. They understand these issues thoroughly, and have worked with other countries to provide substantial aid to India's economic development.

Great assistance has been given by the United States to India. For reasons which have been advanced here today, I think that assistance can be justified. This resolution will give new meaning and purpose to these efforts, and I am very happy to join with my colleague in offering the resolution.

Mr. MCGEE obtained the floor.

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 thought I might use for launching purposes, namely, that with deep humility and considerable hesitation I had chosen to take the time of the Senate today. However, I shall change that opening phraseology and 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 yet today.

In all seriousness, one of the advantages of being a freshman in this exciting new Senate has been exactly what has been happening to me this afternoon; that is, that one gets a liberal education in the vital questions of the day.

The debate between the distinguished Senator from New York [Mr. JAVITS] and the distinguished Senator from Montana [Mr. MANSFIELD] on the question of Germany, and the enlightened approach to economic developments overseas, which the distinguished Senator from Massachusetts [Mr. KENNEDY] has just expounded, all enrich our collective knowledge about questions from which we can find no escape.

In ordinary times, as a freshman, I think I would be interested in continuing this education without breaking silence. But these are not ordinary times. I have chosen, then, to speak today because of two factors pressing upon me. One has to do with the relatively significant role assigned to the freshman class of 1959 in the operations of this body. Some of the astute veterans in the Senate assure me that they do not recall when freshman Senators have received the important committee posts which the group of freshman Senators have received this year. That means that with this kind of responsibility we must raise our voices also in the opportunity which goes with it. We have no alibis, in other words, if things go awry.

There were times when a freshman Senator could excuse himself from what happened in the Senate by virtue of the fact that he had no authority in it anyway. No longer is that excuse available to us. Therefore, it is important that we participate to the best of our capabilities in the deliberations of the first session of the 86th Congress.

The second factor which has influenced my 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 in a sense is a mandate from the people 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 afternoon.

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. It was not alone a contrasting 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 disturbance 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 profound dismay 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 borne out, it seems to me, by the ballots cast last November.

But the people back home had a second concern which was weighing heavily on their minds. It has to do 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 of both political parties, were 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 sought, exactly what they expected, is 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 these 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 parti-

san wrangle in regard to budgetary matters. Budgets are of the deepest 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 in his state of the Union message. For the record, I should like to quote from that message. The President said:

The basic question facing us today is more than mere survival—the military defense of national life and territory. It is the preservation of a way of life. We must meet the world challenge and at 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 deliberations of many wise men on the budget requests, 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, I believe we have every right 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 an adequate and, indeed, a brilliant 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 is in a 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 Morgenthau, has spoken of "the impending decline of the American Nation"; and a very distinguished political pundit, Walter Lippmann, has quoted Mr. Khrushchev 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 framework within 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 basis of our security, or to castigate as dangerous Socialists 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 forthcoming in these troubled days. The times are too critical for sloganeering. The time has come when we must tell the people of America the truth, and be prepared to face that truth.

I move to quote another passage from the state of the Union message of the President of the United States, when he said that if we are to survive "we must define these tasks and then understand what we must do to perform them."

It is precisely that which I think we have failed to do and which, in a very modest and humble way, I should like to suggest as a matter of procedure today.

We have refused to face up to the hard facts of our times, perhaps because of the imminence of a year divisible by four, which always seems to have a squeeze effect upon politicians; perhaps because of the human frailty of fear to face up to those facts; the frailty of eternal hope; hope for some easier way out.

Mr. President, let us not kid ourselves. We are not preparing for a future war; we are at war today—not a shooting war, let me quickly and carefully qualify that comment—but a war nonetheless determined in its ultimate objectives.

Mr. Khrushchev long since has been on record in his declaration that "we in the Soviet Union declare war on the economics of the United States." There was nothing in Khrushchev's statement in his recent address before his party, that shows he was thinking in any different terms than when he made the earlier statement. In fact, if we read carefully the lengthy statement of Mr. Khrushchev to the Soviet Congress—though we have those in our ranks who could outlast or outtalk him—it should leave us with just one sobering conclusion, and that is that the Soviet Union today exudes confidence, cockiness, brashness; they are sure of their cause. They are convinced they can win.

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 time that we present to the people a 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 con-

notations. But I think it is the kind of frank budget that the times call for.

The American people have proved themselves capable of dealing with truth. 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 socialize ourselves out of democracy.

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 impossible—the crisis of Europe—and for many months we preferred peaceful thinking about business as usual to militant thinking about the threat of war and the threat of Mr. Hitler.

The fact of war caught up with us, and in those hours I must confess I was not one of those with the greatest foresight. I was one of those, rather, who was disturbed about the size of the budget 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, else we would be bankrupt. 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 under wraps.

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 diddling 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.

I would propose, in these closing moments, specific examples that illustrate the premise I make today. First, let us emphasize America's capitalistic production. Capitalism, in my judgment, is America's secret weapon. In fact, it is all too secret. That is what is wrong with it. We have been keeping it out of sight. We have been unaware of its potential even in our own ranks. Those of us who had the chance to visit the Soviet Union have been impressed by the great curiosity among the plain people in that country about American 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 except in some parts of Western Europe. It is that outmoded type of capitalism which is the target of Russia. It is that type of capitalism which is held up in disrespect and dishonor before the eyes of the rest of the world.

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 the American economy.

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 slums. They would say, "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 to say, "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 food lines were nonexistent, but 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 eyesores in that section of America. But I would challenge those foreign visitors on each occasion to find for me a parking place for the car in which we were riding, and they could not do it. This was the eye opener, particularly to the people from Asia. 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 our 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 coat without any other formality of introduction, or 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 the Russians were discovering things about America that their government had never told them. They were determining the new concepts of capitalism which we have to get across to all 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 groups in this country of being uncertain themselves about the strength of the system to which they give lip service. The fact is that we have to produce a full economy, with full employment 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. I believe capitalism has the fiber and the capacity to meet whatever challenge is presented, but it will not do so if we follow a policy of retrenchment, of retirement, of operating at 50 or 60 percent of capacity, and of spreading unemployment with high rising prices. 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. I need not remind Senators that inflation contributed greatly to the destruction of the German Republic in 1929 and contributed to the collapse of the Chinese Republic in 1949. 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. Churchill and 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 farsightedness, 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, Mass., as it was in the colonial days; whether it is the west of western 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 in 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 "crash" 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 once of a new chemical. I think it is called hexadecanol. I spent 5 weeks learning to say that word. It is a chemical film which is spread across the surface of water to prevent excess evaporation. If that is ever thoroughly 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 incongruous 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 the problem of America 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 may have more production. 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, and 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. McGEE. I am happy to yield to my colleague from Wyoming.

Mr. O'MAHONEY. I am happy to 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 the Senator 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 ask this question because I was a member of the Committee on Appropriations in the days of World War II, when the United States was working upon development of an 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. McGEE. No, indeed.

Mr. O'MAHONEY. The Senator realizes the great uranium deposits which have been discovered in New Mexico and in Wyoming, does he not?

Mr. McGEE. I do, indeed.

Mr. O'MAHONEY. Is it not a fact that the State of New Mexico now stands first among all the States of the Union in producing uranium, and that Wyoming stands second, and that those two States, together with some others, have made the United States completely independent of any foreign source of supply for the development of atomic energy?

Mr. McGEE. The senior Senator from Wyoming is so right.

Mr. O'MAHONEY. I think it is important that those who read the RECORD tomorrow morning, and Senators who have assembled on the floor since the Senator began speaking, should know the facts about resources which, only a few years ago, were not known to exist, but which we now know do exist, and which will help us to develop the nuclear age of which the Senator speaks.

Mr. McGEE. The Senator is correct.

Mr. O'MAHONEY. I should like to ask the Senator a question with respect to the conservation of water. The Senator has read the budget message of the President. Is it not a fact that in that message the President has indicated that it is not his purpose to recommend any appropriation for new starts of water conservation projects, either by the Bureau of Reclamation in the Department of the Interior, or by the Army Engineers in the Department of Defense? Is that not the fact?

Mr. McGEE. That is all too true.

Mr. O'MAHONEY. Is it not also the fact, as revealed by the studies and public hearings of the Committee on Interior and Insular Affairs and the Committee on Public Works, that in Soviet Russia the Communist leaders are working under a full head of steam to conserve the water supply of that nation, while we lag behind and say, "Let the water flow down to the sea unused"?

Mr. McGEE. I am glad to hear the Senator say that, because it recalls to my mind the impact in the Soviet Union of their rate of growth in this material area, as evidenced by new hydroelectric development. The evidence of new heavy industrial development now is borne out in far more learned expositions on what is behind the Iron Curtain than those of us who were mere tourists there might relate.

One stark fact which strikes any visitor there is the rapid rate of growth, the pace at which the Russians are moving. It ought to sober every American. It points out to us the imperative need for reliance on this great resource field of the West for expanding and providing new underpinning for the American economy—not only for the Western States, but for the entire Nation.

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

Mr. McGEE. 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 is making 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 because it is our lifeblood. As 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 reservoir

supplying water to New York City—I believe it is called the Croton Reservoir—almost ran dry. We know that the water level all over the country is dropping, and we know that studies are being made to bring about the desalinization 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 this body who come from the East will, of course, recognize how much greater a problem it is in their area.

Under the leadership of the distinguished senior Senator from Montana [Mr. MURRAY], 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 be favorably reported soon.

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 am sure he will agree with me that the day may not be too far distant in this country when water, as such, will be far more important than oil.

Again I commend and congratulate the distinguished junior Senator from Wyoming for the fine and distinctive contribution he is making in the Senate this afternoon.

Mr. MCGEE. I thank the Senator from Montana 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. MORSE. Mr. President, will the Senator yield?

Mr. MCGEE. I yield.

Mr. MORSE. I do not know when I have ever sat in the Senate in silence when the water 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 not entirely material. It takes intangible forms, but that does not make it any less valuable. I am experiencing here this afternoon one of the rich compensations of my political 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 participation in his campaign 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

Senate on the part of the Senator from Wyoming.

I wish to supplement what the Senator from Montana [Mr. MANSFIELD] 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 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 population by the year 2000.

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 to tell us what, if any, food products Russia was exporting at the present time. His answer was very interesting. He told us that the Russians are exporting wheat to Poland, Czechoslovakia, East Germany, and the Arab States.

I asked him if the Russians were exporting any other 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 the American people keep in mind that this economic threat of Russia is going to take many forms. However, when they start exporting on any large scale 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 to become a real threat to us in the exportation of 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 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 can 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 Senator's speech he has stressed the matter 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 shall 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 branch to see the inescapable 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 started to go down. The Senator's warning today is one which reinforces the position of some of us in the Senate. I am delighted that we have a new leader in our ranks who will take this message to the American people before it is too late.

Mr. MCGEE. 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 speaking about material things. I 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 have failed to 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 on the part of humanity as a whole. Unless we in our policy projects acknowledge not only the fact of revolution, or at least lend a sympathetic ear and an understanding heart 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, these revolutions and these rebels will 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 must admit that the Russians have been smart enough to get on it, so to speak, and ride it and use it to their own purposes.

This is our opportunity, because it is 1776, it is Tom Jefferson that triggered this movement in many areas of 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, that we have been doing 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 economy, 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] should open up the 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 what the alternatives may come to 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 encircling movement of the Pacific in 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 have only 300,000 souls living there.

Here is our opportunity to look west. Horace Greeley was not alone in enunciating that thought. It is significant in America that as we shift our focus westward to the shores of the Pacific, that movement coincides with the shift of the focus of the world to the Pacific. I dare predict that within the time of those who listen to me today, our real concern in the world may not be Moscow, but possibly Peiping or New Delhi; indeed, what was once the Atlantic age of history will be swept away, or at least supplemented, by the new Pacific age of history. That puts us in a unique position. It means that if only we can have the confidence that expansion requires, we can meet the threat which the Soviets and even the Chinese now have forced upon us.

I cannot close without recollecting a recent evening when, with one of my children, I was reading the old legend of Rip Van Winkle. The Senators will recall the legend that when old Rip went to sleep, he slept for 20 years. When he went to sleep, George III was his king. When he awakened in 20 years, George Washington was his President.

Mr. President, old Rip slept through a revolution. I say to my colleagues: God help America if we do that today.

Mr. CHURCH. Mr. President, I wish to express my appreciation for the eloquent statement of faith in our country and her future which we have been privileged to hear this afternoon, and

to commend the junior Senator from Wyoming for having made it.

As I listened to his speech, I could not help contrasting the philosophy which has been expressed by the Senator from Wyoming with what seemed to me to be the philosophy which was implicit within the state of the Union message that was delivered to Congress by the President a few short weeks ago. In that message, it will be recalled, with reference to the budget, the attitude and approach of the President, and, through him, of his administration, is to accept the present level of Federal income as the maximum optimum level, and then to proceed to cram within that income the program of the country in terms of our national needs and in terms of the dangers we face abroad. The box within which we cram this program is that represented by the present level of national income.

Contrast that philosophy with the philosophy expressed today by the distinguished junior Senator from Wyoming, who said, in a much more realistic way: Let us determine what our needs may be at home and abroad. Then let us undertake to raise whatever income is required to meet those needs and balance the budget.

I thought, too, of the contrast between the philosophy of the distinguished junior Senator from Wyoming and that which is implicit within the state of the Union message concerning the great internal problem of inflation. In the state of the Union message, the President said: Let us declare it to be, in the preamble of the Full Employment Act of 1946, an object of national policy to maintain a sound dollar. That was the program, that was the suggestion, of this administration as to how to deal with the continuing problem of inflation. Declare it to be an objective of the Nation to end inflation.

Contrast that viewpoint with the courageous statement made today by the distinguished junior Senator from Wyoming, who said that words are not enough; that it is obvious that our present program has failed and will continue to fail to stop inflation; therefore, let us determine what is needed and move forward to accomplish it, and in that way end inflation. Nice statements in the preambles of laws will never do it.

Going further in his address, contrast the Senator's position on the development of natural resources with that of the administration. The Senator from Wyoming said: Let us go into the West. Let us get on with the development of our rivers. Let the waters spread upon the deserts. Let us realize that dams are not built today or tomorrow, but are the products of long-term planning. Contrast that proposal with this administration's position of no new starts.

When one makes these contrasts, he cannot help concluding that in the state of the Union message what the President has asked us to do, in essence, is to assume a strong posture abroad backed up with a weak policy at home. The distinguished Senator from Wyoming has said: Let us assume a strong posture abroad, which can remain strong only if

it is backed up with an equally strong policy at home. That is the truth; and the truth will out, today or tomorrow. Let us hope we come to realize it while there is still time.

I commend the distinguished junior Senator from Wyoming for the great contribution he has made to this subject.

Mr. MCGEE. I thank the Senator from Idaho for his generous comments.

Mr. LONG. Mr. President, let me add my words of gratitude to those already expressed to the Senator from Wyoming for his message of enthusiasm and inspiration.

It seems to me that the Nation's budget is our greatest single expression of the purpose of the whole people of the Nation. The Senator from Wyoming has mentioned the evil of inflation. If inflation must come, then the Nation can somehow afford it. We have stood it before. If worst comes to worst, we can stand it again.

One thing which the Nation cannot afford at this time is the price of defeatism, with the entire world looking to us, with every American institution being challenged throughout the world. Yet, that is written through and through and is implicit in the budget sent to us by the President.

A short time ago I spoke to a responsible officer of the Army, one who would not volunteer to give his opinions in public. He explained to me that under present circumstances all the infantry which this Nation has could be placed in a single football stadium, with at least 10,000 seats to spare.

During the fighting in Korea, the United States had 24 Army divisions in action. Now we have a mere 14 divisions, and they are comprised not of 15,000 men, but of 13,000 men. The Army must now strip itself of one more division at a time when we cannot find a single Army officer who would recommend that such a decision is advisable.

I think the Senator from Wyoming will find that that situation is typical of the entire state of our defenses, and is caused by a timid Executive and by someone in the Bureau of the Budget who has been told to cram this budget within the expected income of the Nation, regardless of what may happen to the country.

I quite agree with the statement of the Senator from Wyoming that there is nothing which this Nation cannot achieve if we start with the right purpose. If we start with confidence, we can do it.

On the subject of inflation, the element of production is all too often overlooked. The economic policies of the Nation are self-defeating, in that they make for a steady reduction of production throughout the Nation. If we want to fight inflation, increased production is one of the first things we should seek. Productive capacity in every American industry across the length and breadth of the land has been wasted; 700,000 more persons are unemployed at this time, according to the administration's figures, than were unemployed in the same month a year ago. Yet there is nothing in the budget to support increased production, and thus get the Nation's economy moving in full stride.

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.

The policy of the administration has produced more and more inflation, because it has tended to restrict production and create more inflation than we have had in any similar peacetime period in the history of the Nation. It is a policy which 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 when the junior Senator from Louisiana came to this body, he was informed that it took approximately 12 years for a Democratic Senator to be appointed to the Appropriations Committee. That happened to be the year when my senior colleague was assigned to that committee.

The leadership has shown great wisdom in seeing to it that 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. GRUENING. 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 should like to add my tribute to those of my colleagues for the constructive, vibrant speech to which we have listened this afternoon. I have seldom been more moved by so eloquent an expression of a sound program. I believe it will be of great benefit to the country; and I believe the Senator's contribution is but one more piece of evidence that the people of the country are ready for leadership of the kind he has presented to us this afternoon.

Mr. McGEE. I thank the Senator from Alaska.

Mr. MUSKIE. Mr. President, will the Senator from Wyoming yield to me?

Mr. McGEE. I yield.

Mr. MUSKIE. I understand that the Senator from Wyoming has to rush to catch a plane, and I do not wish to delay his departure. However, as a freshman Senator, I wish to state how proud I am to be associated with one who can express himself as he has this afternoon.

Last fall I had the unusual opportunity of campaigning with others who

were, for the first time, candidates for election to the Senate. As a result, I visited the Senator's State of Wyoming, as well as 13 other States, including the new State of Alaska.

I shall not take the time to comment on any particular portion of the remarks made this afternoon by the junior Senator from Wyoming, other than those he made at the outset of his speech.

I believe he has expressed eminently well what I myself learned of the thinking and the feeling of the people of the country in this day and age. I was exposed to it, as I have said, in 14 States in addition to my own. I could not take issue with one thing the Senator from Wyoming has said. In fact, I should like to associate myself with everything he has said.

Mr. McGEE. I thank the Senator from Maine.

Mr. O'MAHOONEY. Mr. President, will my colleague yield to me?

Mr. McGEE. I yield.

Mr. O'MAHOONEY. As a citizen of the State of Wyoming, as well as a Senator from that State, I wish to say to my junior colleague that I am proud of the presentation he has made here this afternoon.

Although he expected to obtain the floor early in the afternoon, circumstances which developed made that impossible; and it was not until a late hour that he succeeded in obtaining recognition. Then he yielded to several senior Senators who wished to request insertions in the RECORD or wished to make statements; and that delayed further my colleague's opportunity to commence his remarks.

Mr. President, I have served in this body for many years; and I wish to say that in all that time I do not remember any freshman Senator who has received the great welcome and appreciation and applause that have come to my colleague, the junior Senator from Wyoming. I am proud of that, and he can be proud of it. Senators gathered here, after the quorum call was withdrawn, because word had gone out that Senator McGEE, of Wyoming, was speaking.

I venture to say, Mr. President, that the remarks of my colleague will be read by many more persons in the CONGRESSIONAL RECORD, when it appears tomorrow morning, because those of us who have listened here to his remarks will carry away to all whom we meet word of the high approval the Senator's colleagues have given to him in his first expression of his thoughts on the floor of the Senate.

Personally, I want my colleague to know that I shall take great pleasure in advising our constituents in Wyoming that he has done a masterful job. I thank him.

Mr. McGEE. Mr. President, in closing I should like to say that we have just heard from the greatest professor under whom I ever studied; and I wish to pay tribute to him on that high level.

A FAIR AND EQUITABLE SOLUTION TO THE WHEAT PROBLEM

Mr. CARLSON. Mr. President, today I have introduced Senate bill 1140,

which I believe provides a fair and equitable solution to the wheat problem confronting our farmers and our Government. The bill is cosponsored by the senior Senator from Oregon [Mr. MORSE], the junior Senator from Oregon [Mr. NEUBERGER], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Washington [Mr. JACKSON], the Senator from Nebraska [Mr. CURTIS], and the Senator from South Dakota [Mr. CASE]. I requested that the bill be held at the Vice President's desk until next Wednesday, in order that other Senators might avail themselves of the opportunity to join in sponsoring the bill, if they wished to do so.

Mr. President, in introducing the bill, I have in mind 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.

It is my contention that 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 retain a satisfactory standard of living in the face of reduced acreage and rising cost of production.

I contend, further, that lower prices for wheat will not aid in solving 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.

Mr. President, the bill which authorizes a comprehensive wheat stabilization program, is similar in many respects to Senate bill 774, introduced by me during the 1st session of the 85th Congress, on behalf of myself and Mr. NEUBERGER, Mr. MORSE, Mr. CASE of South Dakota, Mr. CHAVEZ, Mr. BARRETT, Mr. MAGNUSON, Mr. JACKSON, Mr. YOUNG, Mr. CURTIS, Mr. HUMPHREY, and Mr. LANGER. 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 grains.

Mr. President, wheatgrowers in 1958 produced the largest crop on record. They produced almost 1.5 billion bushels on fewer than 54 million acres. Only 6 years ago, in 1952 and 1953, they harvested 69 million acres to obtain 1.2 billion bushels. This is a production record of which to be proud.

A part of the credit for this production record should go to the occurrence of favorable weather. But much credit must go to the wheat producers for their rapid adoption of technological advances

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 18 bushels. In 1956 and 1957, average yields were still higher—almost 20 bushels per planted acre. Then in 1958, with the weather man cooperating, wheatgrowers outdid themselves, and produced almost 26 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 surely are 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 production records I have just cited, in combination with the outmoded price supports now in effect, have created serious surpluses and have caused program costs to skyrocket. But the record 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 comprehensive 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 normal 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 holdings of wheat.

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 ex-

ports, 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 65 percent of parity, which at current parity prices would be \$1.53 per bushel.

Third. Provides for income stabilization certificates for each producer equal to each farm's percentage share of the domestic food market—in bushels—which would be redeemable in 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 income stabilization certificates, must place in the conservation reserve an acreage equal to 20 percent, but not more than 30 percent, of his wheat acreage base.

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 the parity price of wheat.

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 a quota wheat, except for domestic food and for export.

These are the major provisions of Senate bill 1140. While it is 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 food 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 to 8 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 RECORD to show, 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 for export. 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 consumers, feed-grain and livestock producers, and to producers in other exporting nations.

Mr. MORSE. Mr. President, will the Senator from Kansas yield to me?

Mr. CARLSON. I yield.

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 problems of America. In fact, I wish to pay him 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 problem.

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 the Senate 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 calamity. I share his view. Contrary to its being a calamity, the wheat production program of this country is one of our great national assets. The difficulty is, we have not made use of that asset as we should.

The Senator from Kansas, the Senator from Kentucky [Mr. MORTON], 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

gone quite unheralded; yet it is a constructive contribution in our economic foreign policy.

I have said many times, and repeat now, that until the time when we shall need the surplus wheat—and we are going to need that surplus in the not too distant future—we can make of our surplus wheat one of the great weapons at our command against the spread of communism in the underdeveloped areas of the world where communism is a threat.

When some of our Canadian parliamentary brethren were in Washington a few weeks ago, and there was a discussion with those members of the Canadian Parliament, we had a very frank discussion about the opportunity I think Canada and the United States have to use wheat as an effective economic weapon against the spread of communism in underdeveloped areas of the world.

What I desire to stress here this afternoon, and our bill has it clearly in mind, is that we must maintain wheat production in the United States. The assumption is easily made, by the uninformed in agricultural problems, that, well, we can go back to growing wheat again whenever we want to, quite overlooking the fact that if the thousands of acres now producing so-called surplus wheat are cut out of production, it will be decades before they can be brought back to the level of production now in effect. When they are cut out of production, deterioration takes place. A wheat-producing area is not developed in a season or two or three.

We have what I like to refer to as a great seedbed in this country for the production of food which can be used to strengthen American economic foreign policy in the underdeveloped areas of the world. We owe it to the producers of wheat to see to it that a legislative program is adopted, such as the Senator from Kansas [Mr. CARLSON] has proposed for many years in the Senate, that will give the wheat producers the economic support which they are entitled to receive for their great service in producing food, a service they are rendering the American people and are rendering American economic foreign policy.

Mr. CARLSON. Mr. President, I appreciate very much the excellent statement which has just been made by the Senator from Oregon [Mr. MORSE], who has been closely associated with me in this program for several years. He comes from a great wheat-producing State, the State of Oregon. Not only that, he comes from a State which years ago had as a Member of the U.S. Senate a man who was very active in support of a program of domestic parity, or a two-price system for farm products, and particularly wheat—Senator McNary.

I would say this is a program which requires some sound thinking on the part of all of us. It has been a real privilege and pleasure to have had many sessions with the senior Senator from Oregon. I appreciate very much his co-sponsoring of the proposed legislation on this occasion.

I think we have a very definite wheat problem. Every farmer in the country knows we have one. I sincerely hope 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.

Fear 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 depressing 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 the conservation reserve to qualify for income stabilization payments. This assures that an acreage of wheat or feed grains equal to 20 percent of the wheat acreage base on each farm must 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 14 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 not aggravate it. As compared with continuing the current program, it means 5 to 8 million fewer tons of wheat which ultimately may be used for livestock feed, because there is no other use for it, or 5 to 8 million fewer tons of feed grains produced on land diverted from wheat production.

Throughout the Plains States, land devoted to feed grains produce more pounds of feed per acre than 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.

Only 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.

Fear No. 2: Some people fear that this program will result in an unreasonable increase in the cost of bread. On occasion it has been referred to as a bread tax 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 protective tariffs on imported wools 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.

In all fairness I ask, is it unreasonable to ask consumers to pay 3¼ cents for the wheat in a loaf of bread, instead of 2½ cents as at present? Especially if by doing so we can provide a fair and equitable income stabilization program for wheat producers and at the same time reduce Government costs, hence other taxes by an even greater amount.

Let me repeat, this wheat price stabilization plan utilizes precisely the same principles as the sugar and the wool price stabilization programs. All who supported those programs should 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 of wheat dropped from \$2.11 to \$1.76 a bushel. During this period, while the cost of wheat in a loaf of bread was declining, the retail price of a loaf of bread increased from 16 to 19.2 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 from 2½ to 3¼ cents; especially when this increase is the result of a program which achieves more than offsetting reductions in other Government costs.

Fear 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 includes the estimated 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. Exports of quota wheat will require 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 reduce Government costs by \$400 million or more a year, while maintaining wheat producers' incomes at fair and equitable levels.

Under the present outmoded price support program for wheat, the Commodity Credit Corporation has acquired 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 \$2.11 a 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 \$1.40 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 levels, the cost of wheat acquired in 1958 and 1959 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 on that quantity of wheat which will be used for domestic food and for export, minus 75 million bushels which must come from CCC stocks. This assures that there will be no further buildup in 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. Elimination of acreage controls.
3. Establishing marketing quota at less than domestic food and export requirements by 75 million bushels which would be removed annually from CCC stocks.
4. Providing a support price to all producers only on the amount of the marketing quota at 65 percent of parity.
5. Provides for the use of income stabilization certificates valued at 35 percent of parity for the domestic food portion of the crop to be issued to cooperating producers.
6. Requires placing of 20 percent of wheat base acreage in conservation reserve of soil bank to be eligible for income stabilization certificates.
7. Allows producers freedom of choice to plant and harvest best adapted crops without Government restrictions.

Mr. CARLSON. Mr. President, I have briefly analyzed what the proposed wheat stabilization program is; who developed it; what it will do for the wheat producer; what it will do for the American public; and what it will do for the feed grain producer.

I ask unanimous consent that this analysis be made a part of these remarks.

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

WHEAT STABILIZATION PROGRAM

WHAT IT IS

A program developed 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 under the present program is presenting this plan for consideration of Congress.

WHAT IT WILL DO FOR THE WHEAT PRODUCER

1. Stabilize producers income at reasonable levels.
2. Allow freedom to plant and harvest crops best adapted without Government interferences.
3. Permit producers to carry reserve for short crop years.
4. Prevent wheat prices from reaching disastrously low levels.
5. Enables wheat producer to market best quality wheat in domestic food and export market, and lower grades in feed market.
6. Restores to wheat producer control of his farming business.

WHAT WILL IT DO FOR THE AMERICAN PUBLIC?

1. Materially reduce cost of wheat program to the taxpayer.
2. Stop buildup of Government holdings and start orderly reduction.
3. Insure adequate supply of high quality wheat for domestic food and export at reasonable prices.
4. Contribute to orderly marketing of highest quality wheat through regular commercial channels.
5. Insure continued ability of wheat producers to buy the products of industry and labor.
6. Stabilize incomes of small businesses in rural communities.

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, but I submit for the RECORD figures that have been prepared by the National Association of Wheat Growers, who are sponsoring this legislation.

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 made 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 75 million bushels annually, reduction in export subsidies of an estimated 20 cents per bushel, and savings in storage costs on the defense stockpile of approximately 16 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.

	Present program	NAWG program
1. Price support operations:		
Amount taken over by CCC (annual increase) (bushels).....	200,000,000	(?)
Estimated acquisition cost per bushel.....	\$2	
Total annual investment.....	\$400,000,000	
Interest on investment, at 2.5 percent.....	\$10,000,000	
Storage charges, at 17 cents.....	\$34,000,000	
2. Reduction of CCC stocks:		
Annual reduction (bushels).....		75,000,000
Present inventory value (acquisition costs and storage charge).....	(?)	\$2.80
Reduction in present investment.....		\$210,000,000
Saving in interest annually.....		\$5,250,000
Saving in storage cost annually.....		\$12,750,000
3. Export subsidy:		
Estimated domestic price (terminal).....	\$1.90	\$1.70
Estimated world price (terminal).....	\$1.40	\$1.40
Export subsidy (millions of bushels).....	430	430
Estimated total subsidy.....	\$215,000,000	\$120,000,000
Total, items 1, 2, and 3:		
Total difference in CCC inventory.....		\$610,000,000
Total cash savings.....		\$148,000,000
Total net difference in CCC inventory and cash savings.....		\$758,000,000
4. Reduced storage costs on defense stockpile (recommended 5-year contracts in competitive bid bases):		
Storage rate per bushel (cents).....	17	11
Annual cost on 500,000,000 bushels.....	\$85,000,000	\$55,000,000
Total, items 1, 2, 3, and 4:		
Total net difference in CCC inventory and cash savings.....		\$758,000,000
Cash savings.....		\$30,000,000
Total cash savings plus net CCC inventory reduction.....		\$788,000,000

¹ Net reduction 75,000,000 per year.
² CCC stocks increased 200,000,000 bushels annually.

Mr. CARLSON. Mr. President, I ask unanimous consent to have printed as a part of these remarks a 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

	1957		1958	
	Wheat	Feed grains	Wheat	Feed grains
Pacific Coast States:				
California.....	1,320	2,172	1,320	2,064
Oregon.....	2,160	1,614	2,064	1,562
Washington.....	2,224	2,007	2,184	1,619
Average, Pacific Coast States.....	1,901	1,931	1,856	1,748
Mountain States:				
Colorado.....	1,470	1,638	1,524	1,883
Idaho.....	2,230	1,816	2,064	1,825
Montana.....	1,164	1,240	1,386	1,413
Average, Mountain States.....	1,638	1,565	1,658	1,707

Production per acre of wheat and of feed grains in pounds, selected States, 1957 and 1958—Continued

	1957		1958	
	Wheat	Feed grains	Wheat	Feed grains
Plains States:				
Kansas.....	1,140	1,216	1,650	1,846
Nebraska.....	1,620	2,197	1,980	2,527
North Dakota.....	1,120	1,137	1,386	1,260
Oklahoma.....	750	852	1,560	1,316
South Dakota.....	1,212	1,499	1,434	1,404
Texas.....	870	1,552	1,320	1,705
Average, Plains States.....	1,119	1,409	1,556	1,676
Midwest States:				
Illinois.....	1,260	3,000	1,890	3,373
Indiana.....	1,530	2,860	1,920	3,182
Iowa.....	1,662	2,113	2,070	2,979
Michigan.....	1,740	2,212	2,280	2,523
Minnesota.....	1,355	2,327	1,884	2,450
Missouri.....	1,380	2,092	1,680	2,685
Ohio.....	1,320	2,546	1,860	2,921
Average, Midwest States.....	1,464	2,450	1,941	2,873
Average, above States.....	1,451	1,899	1,761	2,134

Mr. CARLSON. Mr. President, I ask unanimous consent that the text of the bill, which was introduced this morning, be made a part of these remarks.

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

A BILL TO AMEND THE AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

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 Wheat Stabilization Act of 1959.

SEC. 2. Title III of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by designating subtitles D and E as subtitles E and F, respectively, 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 for domestic consumption and for export is essential to the maintenance of a sound national economy and to the general welfare. The movement of wheat from producer to consumer, in the form of the commodity or any of the products thereof, is preponderantly in interstate and foreign commerce. That small percentage of wheat which is produced and consumed within the confines of any State is normally commingled with, and always bears a close and intimate commercial and competitive relationship to, that quantity of such commodity which moves in interstate and foreign commerce. For this reason, any regulation of intrastate commerce in wheat is a regulation of commerce which is in competition with, or which otherwise affects, obstructs, or burdens interstate commerce in that commodity. In order to provide an adequate and balanced flow of wheat in interstate and foreign commerce and thereby assist farmers in obtaining parity of income by marketing wheat for domestic consumption at parity prices and by increased exports at world prices, and to assure consumers an adequate and steady supply of wheat at fair prices, it is necessary to regulate all commerce in wheat in the manner provided by this subtitle.

"National marketing quota

"SEC. 379b. Not later than May 15 of each calendar year, the Secretary shall proclaim a

national marketing quota which shall be in effect with respect to the marketing of wheat during the marketing year beginning on July 1 of the next succeeding calendar year. The national marketing quota for any marketing year shall be a number of bushels equal to the sum of the number of bushels which he determines will be consumed as human food in the continental United States, or outside the continental United States by members of the Armed Forces, during such marketing year and the number of bushels which he determines will be exported during such marketing year, less seventy-five million bushels.

"Apportionment of national marketing quota

"SEC. 379c. (a) The national marketing quota for wheat, less a reserve of not to exceed 1 per centum thereof for apportionment as provided in this subsection, shall be apportioned by the Secretary among the several States in such manner that the quota of any State will bear the same ratio to the national quota as a figure determined by multiplying the base acreage of such State by its average yield bears to the corresponding figure for all of the States. For the purpose of this subsection, the base acreage of a State shall be the average number of acres planted to wheat in such State for the 1952 and 1953 crops, and the average yield of a State shall be the average, weighted by the county base acres, of the average yields of the counties in the State as determined in accordance with subsection (b) of this section. The reserve set aside herein for apportionment by the Secretary shall be used to make increases in quotas apportioned to counties under subsection (b) of this section, on the basis of the relative needs of counties for additional quota because of reclamation and other new areas coming into the production of wheat after 1953.

"(b) The State marketing quota for wheat, less a reserve of not to exceed 2 per centum thereof for apportionment as provided in subsection (c) of this section, shall be apportioned by the Secretary among the counties in the State in such manner that the quota of any county will 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. For the purpose of this subsection, the base acreage of a county shall be the average number of acres planted to wheat in such county for the 1952 and 1953 crops, and the average yield of a county shall be the highest annual average number of bushels of wheat per acre harvested in such county during five consecutive years within the twenty-five-year period immediately preceding the year in which the first such apportionment is made.

"(c) The county quota shall be apportioned by the Secretary, through the county committees, among the farms within the county on which wheat has been planted during any one of the three marketing years immediately preceding the marketing year in which the apportionment is made and on which wheat was planted for the 1952 or 1953 crop, in such manner that the quota of any farm shall bear the same ratio to the county quota as a figure determined by multiplying the base acreage of such farm by its average yield bears to a corresponding figure for all of the farms in such county entitled to receive a farm marketing quota for wheat. For the purpose of this subsection the base acreage of a farm shall be the average number of acres planted to wheat on such farm for the 1952 and 1953 crops, with adjustments for abnormal weather conditions during such years, tillable acres, crop rotation practices, type of soil and topography. The average yield of a farm shall be the average annual yield in bushels per harvested acre of such farm for the five years immediately preceding the year in which such apportion-

ment is made on the basis of actual or estimated yields for such years with appropriate adjustments as prescribed by regulations issued by the Secretary, for abnormal weather or other conditions affecting yields in any of the years. Not more than 2 per centum of the State quota shall be used for apportionment to farms on which wheat has been planted during any of the three marketing years immediately preceding the marketing year in which the apportionment is made but upon which wheat was not planted for the 1952 or 1953 crops. The Secretary may by regulations provide for the distribution of the farm marketing quota among individual producers on the farm 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 quota wheat if—

"(1) the amount of such wheat when added to any other wheat marketed by the producer with respect to such farm as marketing quota wheat subsequent to the beginning of the first marketing year for which a marketing quota and stabilization certificate program is in effect under this subtitle, does not exceed the total amount of wheat allotted to such farm as farm marketing quota (or portion thereof distributed to such producer) under this subtitle for such year and any subsequent marketing year or years up to and including the marketing year which begins in the calendar year in which the wheat is marketed, provided, such quota or quotas have been determined as herein provided, and a marketing card or cards or similar instruments for such quota or quotas have been issued to the producer; or

"(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 begins, and could have been sold prior to the beginning of such marketing year without payment of a marketing penalty under Act of May 26, 1941 (U.S.C. 1340); and

"(3) such wheat is identified by such producer and by any subsequent seller or other transferor as marketing quota wheat in such manner as shall be prescribed by regulations of the Secretary.

"(b) For the purposes of this subsection, wheat marketed prior to the beginning of a marketing year shall be considered to have been marketed subsequent to the beginning of such marketing year if it is harvested during the calendar year in which such marketing year begins.

"(c) (1) Except as provided in this subsection and in section 379g, nothing contained in this subtitle shall be construed to prohibit or restrict the transfer or use of wheat other than marketing quota wheat.

"(2) Any person who, in connection with the sale or other transfer of wheat, represents such wheat to be marketing quota wheat and such wheat does not meet all the applicable requirements of subsection 379d. (a) hereof, shall forfeit to the United States a sum equal to three times the number of bushels of wheat involved in such misrepresentation, multiplied by the price support per bushel in effect under section 379m hereof for the marketing year in which the misrepresentation occurs. Such forfeiture shall be recoverable in a civil suit brought in the name of the United States.

"(d) Beginning with the first day of the first marketing year for which a marketing quota and stabilization certificate program is in effect under this subtitle, no person who first processes wheat into food products composed wholly or partly of wheat for do-

mestic food consumption or export, shall process any such wheat, and no person shall export unprocessed wheat, unless such person has in his possession evidence satisfactory to the Secretary that such wheat is either (1) marketing quota wheat, (2) imported wheat, (3) wheat sold by the Commodity Credit Corporation, or (4) wheat which was marketed by the producer thereof prior to the beginning of the first marketing year for which a marketing quota and stabilization certificate program is in effect under this subtitle, and is not considered to have been marketed in such marketing year under the provisions of subsection (b) hereof.

"Domestic food quota

"SEC. 379e. Not later than May 15 of each calendar year the Secretary shall determine and proclaim the domestic food quota for wheat for the marketing year beginning in the next calendar year. Such domestic food quota shall be that number of bushels of wheat which the Secretary determines will be consumed as human food in the continental United States, and outside the continental United States by members of the Armed Forces, during such marketing year.

"Stabilization certificates

"SEC. 379f. (a) The Secretary shall prepare for each marketing year stabilization certificates which shall be issued for each farm to which a farm marketing quota has been assigned under section 379c(c) for such year, and on which an amount of acreage equal to not less than 20 per centum or more than 50 per centum of the wheat base acreage of the farm under section 379(c) has been placed in the conservation reserve under the Soil Bank Act for such year: *Provided*, That no farm shall be ineligible for receipt of stabilization certificates by reason of the placing of more than 50 per centum of the wheat base of such farm in the conservation reserve if the placing of such acreage was provided for under a contract entered into prior to the beginning of the first marketing year for which a marketing quota and stabilization certificate program is in effect under this subtitle. The certificates issued for any farm shall be in an amount which bears the same ratio to such farm marketing quota as the domestic food quota proclaimed under section 379e bears to the national marketing quota proclaimed under section 379b for such year. Stabilization certificates shall not be issued with respect to any farm in an amount in excess of the number obtained by multiplying the acreage planted to wheat by the average yield of such farm determined in accordance with section 379c(c). The stabilization certificates for a farm shall be issued to the farm operator, but the Secretary may authorize the issuance of stabilization certificates to individual producers on any farm on the basis of their respective shares in the wheat crop, or the proceeds thereof, produced on the farm. The Secretary shall also issue and sell stabilization certificates to processors and importers in such quantities as are required by them in order to meet the requirements of subsections (a) and (b) of section 379g. Stabilization certificates shall be transferable only in accordance with regulations issued by the Secretary.

"(b) When the domestic food quota is proclaimed for any marketing year pursuant to section 379e hereof, the Secretary shall determine and proclaim the estimated parity price for wheat as of the beginning of the marketing year for which the domestic food quota is proclaimed. The value of any stabilization certificate issued for such marketing year shall be equal to 35 per centum of such estimated parity price of wheat per bushel, multiplied by the number of bushels of wheat with respect to which it is issued. The value of any stabilization certificate so determined shall remain constant and shall remain in effect until redeemed.

"(c) The Secretary is authorized and directed through the Commodity Credit Corporation to buy and sell stabilization certificates issued for any marketing year at the value proclaimed pursuant to subsection (b) of this section. For the purpose of facilitating the purchase and sale of certificates, the Secretary may establish and operate a pool or pools and he may also authorize public and private agencies to act as his agents, either directly or through the pool or pools. Certificates shall be valid to cover sales and importations of products made during the marketing year with respect to which they are issued and after being once used to cover such sales and importations shall be canceled by the Secretary. Any unused certificates shall be redeemed by the Secretary at the price established for such certificates.

"Acquisition of stabilization certificates by processors

"SEC. 379g. (a) Beginning with the first day of the first marketing year for which a marketing quota and stabilization certificate program is in effect under this subtitle and except as provided in subsection (d) hereof, no person shall process wheat into food products composed wholly or partly of wheat for domestic food consumption or export in excess of the quantity for which stabilization certificates issued pursuant to section 379f hereof have been acquired by such person.

"(b) Beginning with the first day of the first marketing year for which a marketing quota and stabilization certificate program is in effect under this subtitle, and except as provided in subsection (d) hereof, no person shall import or bring into the continental United States any food products containing wheat in excess of the quantity for which stabilization certificates issued pursuant to section 379f of this Act have been acquired by such person.

"(c) Upon the exportation from the continental United States of any food product containing wheat, with respect to which stabilization certificates as required herein have been acquired, the Secretary shall pay to the exporter an amount equal to the value of the certificates for the quantity of wheat so exported in the food product. For the purposes of this subsection, the consignor named in the bill of lading, under which the article is exported, shall be considered the exporter: *Provided, however*, That any other person may be considered to be the exporter if the consignor named in the bill of lading waives claim in favor of such other person.

"(d) Upon the giving of a bond satisfactory to the Secretary under such rules and regulations as he shall prescribe to secure the purchase of and payment for such stabilization certificates as may be required, any person required to have a stabilization certificate in order to process wheat or import a food product composed wholly or partly of wheat may process or import any such commodity without having first acquired a stabilization certificate.

"(e) As used in this section and section 379d(d), (1) the term 'food' means human food but shall not be deemed to include liquor or beverages, and (2) the term 'export' shall not be deemed to include the shipment of food products for consumption by the Armed Forces of the United States outside the continental United States.

"Conversion factors

"SEC. 379h. The Secretary shall ascertain and establish conversion factors showing the amount of wheat contained in food products processed wholly or partly from wheat. The conversion factor for any such product shall be determined upon the basis of the weight of wheat used in the processing of such product.

"Civil penalties

"SEC. 379i. Any person who violates or attempts to violate, or participates or aids in the violation of any of the provisions of subsection (a) or (b) of section 379g, or of subsection (d) of subsection 379d hereof, shall forfeit to the United States a sum equal to three times the number of bushels of wheat involved in such violation, including the wheat in any product composed wholly or partly of wheat, multiplied by the price support per bushel in effect under section 379m 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 because of a national emergency or because of a material increase in demand for wheat, the national marketing quota or the domestic food quota for wheat should be increased or suspended, he shall cause an immediate investigation to be made to determine whether the increase or suspension is necessary in order to meet such emergency or increase in the demand for wheat. If, on the basis of such investigation, the Secretary finds that such increase or suspension is necessary, he shall immediately proclaim such finding (and if he finds an increase is necessary, the amount of the increase found by him to be necessary) and thereupon such quotas shall be increased or shall be suspended, as the case may be. In case any national marketing quota is increased under this section, each farm marketing quota for wheat shall be increased in the same ratio. In case any domestic food quota for wheat is increased under this section, the amount of the stabilization certificates for each farm shall be increased in the same ratio.

"Reports and records

"SEC. 379k. (a) The provisions of section 373(a) of this Act 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.

"(b) The provisions of section 373(b) of this Act shall apply to all wheat farmers who are subject to the provisions of this subtitle.

"Referendum

"SEC. 379l. In the first referendum, held pursuant to section 336 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. If the Secretary determines that a majority of eligible farmers voting on such question favor such marketing quota and stabilization certificate program under this subtitle D, the Secretary shall, prior to the effective date of the national marketing quota proclaimed under subtitle B, hereof, suspend the operation of such quota and place into effect a marketing quota and stabilization certificate program for the crop with respect to which the referendum is held and subsequent wheat crops under the provisions of this subtitle, in which event the provisions of subtitle B relating to marketing quotas and acreage allotments for wheat shall no longer be in effect. If a majority of such farmers

do not favor such program the provisions of this subtitle shall be of no further force or effect. The determinations of the Secretary pursuant to this section shall be final and not subject to judicial review.

"Price support

"SEC. 379m. Notwithstanding any other provision 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 to producers of wheat at a level not less than 65 per centum of the parity price for wheat as determined by the Secretary of Agriculture as of May 1 prior to the beginning of the marketing year on the amounts of the farm marketing quotas of such producers 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 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 war or other 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 dispersal for security purposes among the producing States, having regard for the proportionate production of such State. Such contracts shall provide 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 368, each inclusive, shall apply to farm marketing quotas established under this subtitle D."

CYPRUS 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.

Congratulations are in order to the people of these countries, with whom we are allied, and particularly to their hard-working and diligent leaders who have so painstakingly and honestly tried to bring order out of a most trying and chaotic situation.

It is refreshing to see what can be accomplished through peaceful negotiations when a real effort is made to resolve legitimate differences. It keeps alive the hope that someday other human beings in Russia will agree to try honestly and in good faith to solve some of the hazardous situations which continue to threaten the peace of the world.

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.

It is particularly fitting that one of these new All America Cities is Leadville, Colo. Only a few years ago, this was a dying mining camp. Many of the residents were feeling sorry for 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 reprinted as an inspiration for all community planners.

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

HONOR COMES TO LEADVILLE NEAR HER 80TH ANNIVERSARY

Leadville, which will celebrate her 80th anniversary January 28 has been selected as an All America City for 1958. The annual awards, which honor 11 cities, are sponsored jointly by the National Municipal League and Look magazine.

The awards are given for civic improvements, usually in Government, health, and recreation, industry or living areas. Leadville competed for the title against 100 other cities in the United States originally entered in the contest. The original number was narrowed to 22 finalists. These 22 were given the opportunity to present their claim to the honor at the National Conference on Government held at Colorado Springs in September.

The oral presentation of Leadville's argument to the jury in Colorado Springs was made by Richard Ferguson, who was then president of the Leadville Chamber of Commerce and Lake County Recreation director.

Ferguson's story of the progress of Leadville through citizen action as he told it to the jury in his own words, was as follows:

"Every child brought into the world deserves the chance to become a happy, self-respecting, self-reliant adult. The environment of the community will play an important part in the lives of all our children and help them gain adjustment in their lives. Historical Leadville was a prosperous mining camp during the exciting mining discovery era where many fortunes were made by some of the wealthiest families in our country but these fortunes contributed very little to the welfare of the city, leaving us with a glorious history and a theory that mining camps were boom towns and were not here to stay. This trend was always prevalent in Leadville and the theory was very difficult to overcome and the city stayed in a dormant stage for many years.

"Dating back to the glorious eighties until 1950 Leadville was an outdated city: Lacking modern schools; without sewer lines and a sanitation plant; the hospital was soon to be condemned; recreation was unheard of; the old buildings prevailed and new homes were not for this mining camp; civic, business houses, and municipal buildings were antiquated.

"The citizens became concerned about their city lacking adequate facilities and started to realize that their community should have the proper facilities to raise their families in an environment for the health, safety, and welfare of their loved ones. Finally in 1950 the bubble burst and things started to happen.

"The first citizen action began in 1950 when School Board President Edward Kelly, County Commissioner Harold Trevethan, and County Treasurer Emmett Irwin aroused the peoples' interest in a new, modern sanitation plant and an installation of the city's first sewer lines in Leadville. The group was unsuccessful in 1950, but with their persistence and the help of many interested citizens the bond issue was passed in 1951.

"The new sanitation plant and sewer lines were installed and Leadville now has one of the finest sanitation plants in Colorado which serves the entire city. This was the beginning of a new era for Leadville.

"The Leadville schools were old and inadequate for modern and up-to-date school plants, but to suppress the theory that the schools were good enough for grandfather and that Leadville was just a mining camp and wasn't here to stay was a difficult task to overcome. The school board and superintendent of schools, with the energetic help and support of all local unions, campaigned through the press and radio and appealed to the people to vote for new schools; personal contacts were made to gain further support and a citizens' committee with representatives from all clubs and organizations campaigned through the press and radio in conjunction with the local PTA. Another victory was won and the bond issue was passed in 1952 for \$750,000 for new schools and again the citizen action brought results. The schools were built and are now occupied and serving the community well.

"Recreation in a mining camp? This was unheard of in Leadville. Action again began to speak louder than words and through the efforts of the Lake County Recreation Board, county commissioners, city officials and a citizen committee from most clubs and organizations, the wheels of progress 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 appropriated funds to carry out the program and these funds were used mainly for salaries, program, and some facilities. But to build the necessary facilities was another major project. The campaign by the citizens was again underway and donations started to come in; fund-raising drives started; labor and materials were donated; and in a few short years the community of Leadville had facilities valued at over \$200,000 and they are all paid for without a bond issue. The unions, Elks, Moose, and Eagles were very instrumental in the success of these projects. The Lions Club, city and county, American Smelting & Refining Co., Resurrection Mining Co., and the American Metals Climax Co., donated labor, material, and equipment in any way that was physically possible. The community now proudly boasts of an indoor swimming pool and a patio with a children's wading pool, an ice skating rink which is larger than a football field under lights, tennis courts and basketball court, a lighted softball field with building and bleachers, a Little League stadium, kids' fishing pond, a park with picnic tables and fireplaces, and a playground with the most modern playground equipment. Plans are now on the drawing board for a new field-house.

"The old St. Vincent's Hospital was condemned and the Sisters of Charity were

ready to depart from this historical mining camp after serving the community faithfully for over 70 years. The citizens became aroused at this plight and soon a citizens committee was organized to do something about this critical situation which was facing the community and which jeopardized the welfare of its people. The citizen committee soon became the new St. Vincent's Hospital Advisory Board. Citizen action was underway in this community of 5,000 to insure the stay of the devoted Sisters of Charity and all denominations were called upon to participate. Come-see tours were conducted and the general public was alarmed at the dire situation of the old St. Vincent's Hospital. The campaign was organized and all citizens were called upon to help with the fund drive for a new hospital. One of the most important phases of the drive was the house-to-house canvass of the workers securing pledges from every individual in the city and surrounding areas. Other groups contacted business, industry, and former residents from many places in the United States, as well as local clubs and organizations to aid with the fund drive. Although the Government participated 43 percent, the small community of Leadville dedicated a \$1 million St. Vincent's Hospital in June 1958. The citizens had faith in each other regardless of their denomination and this new hospital is a monument to these people. The lay advisory board, which is very active in the success of the hospital, consists of members from all walks of life in the community. The members of this board are: Thomas Fahey, former superintendent of the American Smelting Co.; Robert Henderson, resident manager of the American Metals Climax Co.; Frank Coolbaugh, vice president of western operations of the American Metals Climax Co.; George Mitchell, union representative; Mrs. Wm. Rose, housewife; Wm. Wilson, controller, American Metals Climax Co.; Robert Nelson, local theater manager; Adolph Kuss, Sr., county commissioner; Emmett Irwin, county treasurer; Taylor Brown, former mayor; Steve Ferkovich, local Safeway Store manager.

PRIVATE ENTERPRISE KEPT UP WITH PUBLIC EFFORTS

"The progress of Leadville continued, and, in addition to development through citizen action, many individuals and organizations and business places started moving along with the new progress of the new community spirit and inspiration. Churches of all faiths were built or renovated; the Elks lodge built a beautiful new home for their members through a fund raising drive; the doctors built a new modern clinic near the new hospital; a vision center was built; new commercial buildings were built and renovated; the gracious Lake County courthouse was erected on the main street of Leadville and is one of the most beautiful buildings in the State of Colorado; the chamber of commerce built one of the most unique buildings and developed grounds with a mining atmosphere with beautiful landscaping; the new convent graces the city of Leadville to house the Sisters. All this major development was accomplished between 1956 and 1957.

"The progress did not stop in the new city development program. The Commercial Bank of Leadville, believing in the new faith instilled in the people of Leadville desiring a modern community, boldly started the unheard of venture and began Leadville's first housing project. The new project was accepted by the people and the project is still building today. This was followed by the American Builders who built 115 new homes in 1957. Many other citizens soon started building their own homes and others renovated their old homes completely.

LEADVILLE IS PROUD OF PAVED STREETS

"The new construction was well underway and the city was taking on a new look

but the city still lacked paved streets. After an entire existence of dirt and dusty streets, an organized campaign was under way to do something about the condition of the streets. A citizens' committee was asked to work with the city council to promote this project. The group went from door to door with petitions for the people to sign and then petition the city to take action on the street project.

"The volunteer workers succeeded again and the city council hired a paving contractor and the streets of Leadville were paved in 1957 for the first time in the history of the city. Ironically, everyone paid cash for his share of the paving.

"Leadville is proud of the new look, and progress has not stopped; the new Union Building is now under construction, and when the building is completed in December it will have meeting rooms, large assembly room, offices, lounge, and bowling alleys; the St. Mary's School is being renovated and will be completed this fall; a major shopping center is now under construction, and many other new buildings are under construction or in the planning stages.

"Although the fortunes that were taken out of the ground in Leadville were transplanted to other places, we are very fortunate to have such fine progressive citizens planted on the surface who have given of their time, money, and faith to make our city what it is today.

"This is the story of a mining camp that was dormant for over 80 years without any progress. The citizens decided that their children and families would have a modern city with adequate facilities that are necessary for the health and welfare of their families. We now call Leadville a community, and not a mining camp that isn't here to stay.

"The community is especially indebted to our newspaper, the Herald-Democrat, and our radio station, KLVC, who wholeheartedly supported and backed the citizen action of Leadville. The city of Leadville has done so much with so little in such a short time."

TRIBUTE TO SECRETARY OF THE INTERIOR FRED A. SEATON

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. He has provided positive programs in the field of reclamation and realistic planning for the future of our mining industry. These are areas of endeavor of particular interest to the people in my own State of Colorado. He has lent new dignity to his high office—a dignity based upon humor and a real understanding of the people for whom his Department serves.

I ask unanimous consent that an article published in the February 6, 1959, edition of the Pueblo Star Journal and Chieftain be reprinted at this point in my remarks. The article not only reflects what I have said about this distinguished American, but also reflects the thinking of the people directly affected by the administration of his programs.

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

RECLAMATION, INDIAN STANDS POPULARIZE SEATON IN WEST

WASHINGTON.—Secretary of Interior Fred A. Seaton has put a new look on the administration and the Republican Party in

the upper basin States and the Four Corners area.

And he has done so only 3 months after Republicans suffered disastrous reversals all over the area except in Arizona. He also has accomplished this feat in the face of the administration's resolve to keep tight reins on Uncle Sam's purse strings during the next fiscal year.

In his now-famous speech to a group of western Republicans meeting in Hawaii on November 12, 1958, the Secretary told them to accentuate the positive, to shift from reverse to forward drive.

He is practicing what he is preaching to other Republicans. And the upper basin and Four Corners States like the GOP new look fashioned by Seaton. The area is trying on for size a 1960 budget which fits it, happily discarding the deplorable 1959 sack of a budget.

RECLAMATION FUNDS

Interior's 1960 budget for the upper Colorado area is in shining contrast to last year's, largely thanks to Seaton. Consider the following:

The 1960 budget contains \$77,035,000 for the upper Colorado project, to be allocated as follows: Glen Canyon Dam, \$47,367,000; Flaming Gorge Dam, \$13 million; Navajo Dam, \$9,945,000; Paonia Irrigation project in Colorado, \$3,185,000; Vernal irrigation project in Utah, \$2 million, and \$818,000 for advance planning funds, much of which is earmarked for slow-starting Colorado projects, including Colorado's Curecanti Dam. The Frypanpan-Arkansas project was the only water project in the country singled out for requested authorization.

The 1959 Interior budget contained only \$38,425,000 for upper Colorado, with virtually all of the money, \$30,746,000, earmarked for Glen Canyon's construction. No construction money was provided for the other two large storage dams in New Mexico and in Utah-Wyoming, nor for the irrigation projects. The congressional indignation and outcry which resulted was immediate and basinwide. Congressional pressure was intense, and the administration lost every round. Congress ultimately provided \$68,033,335 for upper Colorado for 1959 fiscal year. It completely reversed the administration's no-new-start policy on Flaming Gorge and Navaho Dams, and on the Paonia and Vernal projects.

The 1959 budget for upper Colorado was a key factor in the huge GOP reverses in the upper basin States in the 1959 election. The GOP lost Senate seats in Utah and Wyoming, governorships in New Mexico and Wyoming, House seats in Colorado and Utah. Impressive Democratic gains were made also at the State level at the expense of the battered GOP in Colorado, New Mexico, and Wyoming.

MORE INDIAN FUNDS

There was the same contrast in the Navaho-Hopi budgets for the Four Corners area. Interior's 1960 budget provides \$38,031,963 for the Navaho-Hopi program, including \$5 million for the new Navaho-Hopi \$20 million road program. The 1959 Navaho budget was \$22,628,091. And when the New Mexico and Arizona delegations teamed up to put the Anderson-Udall Navaho roads bill through Congress last year, two powerful administration agencies objected, including the Budget Bureau and Commerce Department.

At this point Seaton moved to persuade Commerce and Budget to withdraw their opposition. He played a key role in getting President Eisenhower to sign the Anderson-Udall bill. The bill opened up a major new route to California via southern and southwestern Colorado and the Navajo Reservation.

This year Seaton made a successful last-minute appeal to the Budget Bureau to provide several million more dollars for the Navajo roads program than originally was

scheduled for the 1960 budget. Now the administration has programed \$5 million in 1960 appropriations for the Navajo road program, 1 million in 1959 appropriations, and 3 million in contract authority. This, in the face of a general administration downhold on new construction.

Seaton has given every evidence that he plans to defend his Interior budget against possible congressional cuts. His 1960 budget for upper basin and the Four Corners States has been hailed by the area.

The Pueblo Star-Journal and Chieftain and the Flagstaff Sun praised the 1960 Interior and reclamation budget, in editorials on January 21 and January 20. And the Farmington Times and Gallup Independent editorially stated on January 20 that Seaton "is the Eisenhower administration official to whom the Four Corners country is most indebted for the handsome treatment this sector was accorded in the new Federal budget" for 1960.

CONTROL OF HATE LITERATURE AND BOMBINGS

Mr. ALLOTT. Mr. President, as a sponsor, along with the Senators from New York [Mr. JAVITS and Mr. KEATING] and others, of the several measures introduced during this session to deter mailing hate literature, antireligious bombings, and similar reprehensible acts; and not unmindful of the difficulties which will beset our effort to develop sound, effective legislation to accomplish this purpose, I ask unanimous consent that there be printed in the RECORD some telling remarks on the problem by Robert S. Gamzey in his column "Mile High Review," which was published in the Intermountain Jewish News of February 13, 1959.

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

MILE-HIGH VIEW

"Denver has received a tremendous spill-over of antisemitic literature," the Anti-Defamation League expert reported. He revealed that Colorado legislators are receiving hatemongering sheets as they consider measures aimed at housing discrimination and vandalism at synagogues, churches, schools, and other buildings.

The resources of the Anti-Defamation League and other human relations agencies must now be directed toward exposing and counteracting bigotry poisoning flowing through the U.S. mails, Steinhauer told the BB meeting. He urged Federal legislation to strengthen the hands of the FBI in bombing cases. While he advocated a law to crack down on incitement to violence and destruction, he warned against legislation which might conflict with freedom of speech and press. This is the dilemma facing American democracy in dealing with bigots.

In the overall picture, the Anti-Defamation League professional assessed the positive advances of interfaith relations as outweighing the synagogue bombings in Nashville, Miami, Jacksonville, Atlanta, and Peoria.

"We have come a long way," said Steinhauer in summing up the enjoyment of equal right by American Jewry, the gradual but steady diminution of discrimination in employment, housing, education, and passage of State FEPC legislation outlawing job bias.

While a balance sheet on antisemitism would continue to show more assets than liabilities, the recent wave of synagogue bombings, flood of hate mail, the conflicting

pressures suffered by southern Jewry over integration, and rising tension over church-state issues in public education make it imperative, in my opinion, for the implementation now of the decade-old McIver recommendations for an overall board of strategy and all-inclusive coordination and cooperation of Anti-Defamation League, American Jewish Committee, National Community Relations Advisory Council, American Jewish Congress, Jewish War Veterans, Jewish Labor Committee, Synagogue Councils, and other agencies operating in this vital field.

Never was unity more urgent.

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 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, Colo.

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 a firsthand knowledge of the 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:

BOULDER, COLO., January 16, 1952.

DEAR SENATOR ALLOTT: I am one of that group of Americans from Colorado whom you have been chosen to represent in the Government of the United States. I have a request to make of you, sir, concerning the future of America. I ask you with all sincerity and concern to press forward a strong civil rights program in Congress.

I was raised in the deep South and attended a Southern university. The news of the terrible incidents which filters into Colorado through the news media concerning abuse to Southern Negroes is often greeted here with apathy and unconcern. When I came to make my home in Colorado a couple of years ago this apathy frightened and disturbed me very much. You see, I was painfully aware that these ugly incidents were all too true. As a white Southerner, I had for years watched the pride and dignity of a whole race of people—Americans—being pounded and beaten from them. Where can a man turn when there is no honest and fair law to protect him, no voice for him in his Government, no enforced rights to guarantee security for him?

Must still another generation of Americans live and die without the hope of advancing—without the hope that their children can become better off than they have been? You and I and our ancestors of many

generations have taken these things for granted and have come to identify America with them. But what are these other millions of oppressed people to associate with America?

Please speed civil rights legislation. I want to be proud of my country.

Most sincerely,

LAWRENCE E. FRALEY, JR.

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 eliminate some of the undesirable occurrences discovered by the McClellan committee and its predecessors. Because it was written before labor bills were introduced in this Congress, its impact falls heavily. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the editorial 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-Ives 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 for 40 days before it was referred to the Committee on Education and Labor and this made it too late for hearings. A last minute effort to bring 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-Ives 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 a weak bill and in some instances made the situation worse than it is under present 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 enforcement would be virtually impossible, inasmuch as the majority of local unions would be exempt from financial reports. Consequently the provisions would be ineffective in preventing skulduggery in financial affairs.

Some international unions have trusteeship provisions which mean that the national officers run the local unions. This has been one of the great abuses in several unions. The proposed changes in the law made the procedure more cumbersome. One of the basic rights under common law was not permitted under the amendments. The common law would have permitted local unions or their members to sue in State courts to vacate trusteeships illegally or improperly imposed and operated.

Much has been made of the need for secret ballots in elections of union officers, as well as in other votes as for strikes. But if there is an intent to operate the union regardless of the wishes of the members, secret ballot elections of officers and other votes are meaningless unless the electoral machinery and the counting of the ballots are under the control of an impartial authority. No such safeguards were provided in the Kennedy-Ives bill.

The Codes of Ethical Practices were supposed to take care of all of the gangsterism that had been revealed by the McClellan committee. But the most naive know that crooks, gangsters, and racketeers in the labor movement, and among employers, would never be deterred by voluntary Codes of Ethical Practices. There was no firm legislation provided in the Kennedy-Ives bill to cope with this situation.

Other amendments to the National Labor Relations Act would have increased still further the uncontrolled power in the hands of union leadership, rather than curbing it or putting it under restrictions so far as members 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 could control the labor supply of various industries and be in a position to dictate terms and conditions of settlement to all employers in the industry, regardless of their competitive situation or financial condition.

It failed to deal with the problem of the use of union funds and manpower for partisan political activities, even though many of the members to whom such funds belong were not in sympathy with either the candidates or the policies advocated by union officials.

Unions became more directly involved in the operation of one political party in the 1958 campaign than ever before in the history of this Nation. If the members approve of such procedure, no one can complain, but the use of funds and union personnel for political purposes which are paid in for other reasons is not subject to check by anyone under present law.

Directly involved in the operation of the unions and the malpractices revealed by the McClellan committee is compulsory union membership. Union leaders are permitted to maintain a captive membership which, in turn, permits them to operate the unions as their own private property. Unless there are provisions in the bill to protect the members and offset the power of compulsory union membership, Federal legislation is meaningless.

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 deficits 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 all the problems must be placed before the Government of the United States and that the only place from which solutions can come is the Government of the United States, but there are also people and there are also communities which believe in themselves. They believe in the ability and responsibility of individual citizens, and they still believe in the responsibility of local communities.

Exactly such a movement got underway at Fremont, Nebr., in recent days. Four citizens fathered the idea. They were Dr. William Zimmerman, Mr. Hamilton F. Mitten, Mr. Eugene Buch, and Mr. Edward Jaksha. Those men had watched the Government of the United States operate in their own community. They disapproved what was going on, and disapproved of the burdens being placed upon the taxpayers. As a result, they drew up a document called "A Declaration of Independence from Federal Dependence," which they submitted to the local chamber of commerce, where it was adopted. I wish to read this declaration.

Whereas we, the members of the Fremont Chamber of Commerce are in agreement with the principles of individual freedom, a free market, and limited government; and

Whereas we believe the present trend in political thinking and fiscal policy will ultimately destroy our free institutions and the savings of our people and our children; and further we believe this same trend in political thinking and fiscal policy mortgages the future of our children to ultimately leave them economically destitute; politically enslaved, and defenseless; and

Whereas our Nation's strength lies in local, county, and State government, by citizens using local, county, and State funds; and that under the trend of the present political philosophy our people are slowly and surely being lulled to sleep and deprived of their substance; and

Whereas we deplore those Federal agencies and representatives of Federal agencies who, in addition to their primary function, engage in activities designed to expand and perpetuate those functions beyond their original design and concept;

We therefore call upon all chambers of commerce and all like-minded groups throughout these 49 States and Territories who hold to the principles upon which this Nation was founded and under which it has prospered; and who hold with us to the principles of individual freedom, a free market, and limited government to make and to project this same declaration:

To steadfastly resist further encroachment upon these principles by action of the Federal Government;

To limit our use of Federal funds and to seek a corresponding reduction in tax levies and governmental controls;

To avoid being deluded by glib tongue, trite phrase, and uneconomic thinking with promises of personal and financial security through the bait of Federal aid; there being no Federal aid, since Federal aid is our local money less the high cost of freight for political brokerage on its long trip to Washington and back—returned with the bar-

nacles of Federal restrictions and bureaucratic controls.

With a belief in Almighty God, we therefore declare that those steps necessary to reestablish a government of the people, by the people and for the people, be taken by all the people, not tomorrow but today.

And further we in Fremont resolve to take those steps necessary to bring again to the banks of the Platte those functions of government now mushrooming on the banks of the Potomac.

There follow the signatures of Hamilton F. Mitten, Eugene W. Buch, Paul R. Todd, Edward A. Jaksha, and many others.

The last signature on the document is the signature of the famous person whose name appears on some of our early documents—Earl J. Lee.

This week three citizens from Fremont—Mr. Howard W. Shinrock, Mr. David Mitten, and Mr. Edward Jaksha—journeyed to Washington and presented this "Declaration of Independence from Federal Dependence" to many of Washington's outstanding citizens and personalities in Government, including the distinguished Vice President of the United States.

Whenever any of our citizens, relying upon their own initiative and their desire to be self-sustaining, suggest that our Federal Government not be so large, there are always those who dislike that philosophy and dislike having it projected.

I wish to say, Mr. President, that the citizens of Fremont to whom I have referred have rendered a distinct service to themselves, to their community, and to their Nation. It is my opinion that the greatest value which can 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 in Washington their efforts are ridiculed by the spenders. An attempt is made to have such economizers state what existing Federal programs they want repealed. Such questions, however, beg the issue. The real battle facing the Congress at this time is over an effort to start new programs. It pertains to efforts to inject the Federal Government into new fields which have heretofore been handled by the States and localities, or by the citizens themselves.

The time to battle for economy is when the roll is called on legislation authorizing new programs. It is upon these 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 citizens of Fremont, Nebr., on their "Declaration of Independence from Federal Dependence."

Someone may ask, "Has this community practiced what it has preached?" It has. I hold in my hand a news account which appeared in the Omaha World Herald of Sunday, February 15, 1959. Four recent instances are set forth, in which Fremont, Nebr., 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 off of a street and the ax for stately trees. The town fathers did the needed remodeling at a cost of nine thousand dollars.

—Federal funds were on hand for resurfacing Broad Street, which pierces the heart of downtown Fremont. To be eligible, the Government said, curbside parking would be banned forevermore. Again city fathers and merchants dug deep and gave Uncle Sam the brush-off.

—Bell Street (Highway 275) could be resurfaced, via Federal funds, providing bordering trees were removed and curb parking banned. Again Big Brother in Washington drew a cold shoulder.

—Federal funds amounting to two thousand dollars were offered on a matching basis for Civil Defense sirens. The city investigated, found that one siren priced at eight hundred dollars would work nicely and blew the whistle on Uncle.

They saved the Federal Government \$2,000.

Mr. President, the hour is late and I shall not continue further. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks two of the editorials which have appeared in reference to this program which was instituted at Fremont, Nebr. One is from the York, Nebr., Daily News of February 14, and the other from the Kearney, Nebr., Daily Hub of February 13, 1959.

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

[From the York (Nebr.) Daily News-Times, Feb. 14, 1959]

GRASSROOTS ACTION

Hooray for the Fremont Chamber of Commerce.

They have drafted a declaration of independence from Federal dependence, and what's more, they plan to deliver it to Washington.

Copies of the declaration have been printed and are now in the process of being sent to the various organizations within the city for signatures. Chances are it won't take long to get the required signers, and the more who put their John Henry on the declaration, the more effective it will be.

Besides circulation of the declaration, the Fremont chamber is also raising funds to send two delegates to Washington to present the document to the Nebraska congressional delegation.

The declaration says that its signers favor "individual freedom, a free market and limited government."

"We believe the present trend in political thinking and fiscal policy will ultimately destroy our free institutions and the savings of our people and children; and further we believe this same trend in political thinking and fiscal policy mortgages the future of our children to ultimately leave them economically destitute, politically enslaved and defenseless."

The declaration also called for resistance to further encroachment in these principles by action of the Federal Government, and limitation of the use of Federal funds to seek a corresponding reduction in tax levies and Government controls.

The document urged supporters "to avoid being deluded by glib tongue, trite phrases and uneconomic thinking and financial security through the bait of Federal aid; there being no Federal aid, since Federal aid is our local money less the high cost of freight for political brokerage on its long trip to Washington and back."

The declaration pretty well sums up the feelings of most Nebraskans, and also, we believe, a majority of the citizens of this country.

Now if all chambers of commerce throughout our Nation will follow the lead taken by Fremont, we might end up with an effective grassroots movement that will change the thinking of many spenders in Washington.

FREMONTERS DECLARING THEIR INDEPENDENCE

Shades of '76.

The Fremont Chamber of Commerce has drafted a declaration of independence from federal dependence—and apparently, the members mean it.

Not only are the Fremonters asking for signatures on the petitions, but they're raising money to send some of their number to Washington, D.C., to present the petitions to the Nebraska congressional delegation.

These petitions make some brave statements, which certainly bear repeating here: "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 and fiscal policy mortgages the future 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 mortgage your future.

The Federal aid money with which the Interstate Highway is to be built, for example, is coming from the Federal gasoline tax, a field in which the States used to have exclusive tax authority.

There are hundreds of examples of taxation, both hidden and out in plain sight, where the Federal Government first imposed the tax as an emergency measure—but in this "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 pay, or running the national debt to nearly \$300 billion.

Destroy the citizen's desire to provide for himself and his family, and we shall meet the Russians on common ground—socialism.

Mr. CURTIS. Mr. President, there are those who contend that we can serve our country by working and dreaming and fighting for greater deficits. I merely submit 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?"

ANNIVERSARY OF UKRAINIAN INDEPENDENCE

Mr. CURTIS. Mr. President, the Ukrainian-American community at Omaha, Nebr., adopted certain resolutions on January 24, 1959, during the

program commemorating the declaration of independence of the Ukraine in 1918.

The Ukrainian-American Association has requested that these resolutions be brought to the attention of the U.S. Government. I am therefore both happy and proud to offer for printing in the RECORD these resolutions, which were adopted at Omaha, Nebr., on January 24.

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

Whereas January 22, 1959 will mark the 40th anniversary of the act of union by which Western Ukraine was united with the Ukrainian National Republic, and the 41st anniversary of the proclamation of the free and independent Ukrainian Republic.

Whereas, although Ukraine is presently under forcible occupation by the Soviet Communist aggressors, the love of freedom lives on in the hearts of the Ukrainian people, whose heroic resistance to oppression continues both passively and actively,

Whereas their struggle for freedom and independence is typical of the struggle of all liberty-loving people everywhere, and strongly emphasizes for us, the free Americans, that the price of freedom is eternal vigilance against the continuous aggression of Communist Moscow which now mortally threatens the security of the United States and all of the free world, and

Whereas in this Nation, citizens of Ukrainian descent have been in the forefront of the battle against Red Communist colonialism and imperialism:

Now, therefore, we, Americans of Ukrainian descent in Omaha, Nebr. who today, on January 24, 1959, observe the 40th anniversary of the proclamation of the Act of Union, and the 41st anniversary of the proclamation of the independent Ukrainian National Republic, urgently request our Government, our representatives and the people of the United States of America to support the Ukrainian people in their struggle for the restoration of their own, free and democratic government.

Mr. CURTIS. Mr. President, I yield the floor.

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 23, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 19, 1959:

DEPARTMENT OF STATE

James W. Riddleberger, of Virginia, to be Director of the International Cooperation Administration, in the Department of State, vice James H. Smith, Jr., resigned.

DEPARTMENT OF COMMERCE

Robert J. Dodds, Jr., of Pennsylvania, to be General Counsel of the Department of Commerce.

DEPARTMENT OF THE ARMY

Courtney Johnson, of Indiana, to be Assistant Secretary of the Army, vice Frank H. Higgins, resigned.

U.S. DISTRICT JUDGE

John F. Kilkenny, of Oregon, to be U.S. district judge for the district of Oregon, vice Claude McColloch, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 19, 1959:

UNITED NATIONS

TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 13TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Benjamin Gerig, of Maryland.
Mason Sears, of Massachusetts.

U.S. ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE FOR A TERM OF 3 YEARS EXPIRING JANUARY 27, 1962, AND UNTIL HIS SUCCESSOR HAS BEEN APPOINTED AND QUALIFIED
Franklin D. Murphy, of Kansas.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 19, 1959

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Hosea 14: 9: *The ways of the Lord are right, and the just shall walk in them.*

Our Heavenly Father, grant that during these days of Brotherhood Week, we may highly resolve to covet and cultivate more earnestly Thy ways of consideration and compassion toward all the needy members of the human family.

Make us eager to extend the hand of helpfulness to the weary and heavy laden and speak the word of hope to the sorrowing and lonely which will enable them to carry on with faith and courage.

May we daily pursue the journey of life with gladness, daring to believe in a glorious future when men everywhere shall live together as brothers on the high levels of peace and good will.

We thank Thee for the life and ministry of Thy servant, our beloved colleague, who now dwells with Thee in eternal blessedness. Grant unto the members of his bereaved family the consolations of Thy grace.

Hear us, in the name of our blessed Lord and Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

GENERAL LEAVE TO EXTEND

Mr. McCORMACK. Mr. Speaker, without establishing a precedent, in view of the unfortunate situation in which the House finds itself today due to the death of our dearly beloved friend from New York, I ask unanimous consent that all Members who may desire to do so may extend their remarks in the CONGRESSIONAL RECORD and include extraneous matter.

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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 could 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 were asked on any of them, the roll-call, of course, because of an election in Illinois, would go over until Wednesday, if that is agreeable to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. It is.

Mr. McCORMACK. I have no other program to announce for next week. I do not want to foreclose myself from bringing up a bill next week should a rule be reported out on one of two bills now pending before the Rules Committee, but in that event I will give the House as early notice as possible.

Mr. HALLECK. But at the moment, there would be no really important legislation coming up next week with that exception.

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. Is there objection 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 brings the death of a great American, whose friendship and comradeship I have enjoyed in the 35 years I have been a Member of the House of Representatives.

In the 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.

In recent years all of 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. Other 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. His word was as good as his bond. Some of the positions he advocated did not at the moment enjoy passing popularity, but that did not influence our dear friend, DAN REED. He was true to his beliefs. He was like the mighty oak that never yielded to the storm but stood fast always.

To me his death is a particularly great personal loss, not only because of the 35 years of close friendship, but because of the kindly assistance and the words of encouragement he gave me through the years when the going was rough especially when I was starting upon my legislative life. On many occasions he nominated me for the position of leader of my party. On one occasion it was from him that I received the oath as Speaker of this great legislative body. These all firmly fastened the bonds of our friendship.

DAN REED liked to listen to the troubles of all freshmen and give all a helping hand. He wanted to make their service here a little easier and a little better for America.

Only last Friday I visited him at the hospital. He was his usual cheery self. Faced with the necessity probably 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.

DAN 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.