

SENATE

FRIDAY, JUNE 12, 1959

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

O Thou Shepherd of the pilgrim days:
In Thy peace our restless spirits are
quieted, and by Thy love our baffled
hearts are reassured.

The circumstances of our times are so
appalling and dismaying to the gaze of
our finite minds that the resources of our
souls are utterly inadequate unless Thou
replenish them by a strength and power
not our own.

In this creative hour of human destiny,
save us from surrendering to cynicism
because of human evil, and of being
made men of little faith by human folly.

Open our eyes to see a glory in our
common life with all its sordid failures,
and in the aspirations of men for better
things and for a fairer world, to feel the
pull of a resistless power that makes for
love and righteousness, more constant
than the stars, and which, at last, must
burn away every barrier to human
brotherhood as Thy Kingdom comes and
Thy will is done in all the earth.

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

THE JOURNAL

On request of Mr. JOHNSON of Texas,
and by unanimous consent, the reading
of the Journal of the proceedings of
Thursday, June 11, 1959, was dispensed
with.

MESSAGE FROM THE PRESIDENT

A message in writing from the Presi-
dent of the United States submitting
nominations was communicated to the
Senate by Mr. Miller, one of his secre-
taries.

MESSAGE FROM THE HOUSE

A message from the House of Repre-
sentatives, by Mr. Bartlett, one of its
reading clerks, announced that the House
had agreed to the amendment of the Sen-
ate to the bill (H.R. 7120) to amend cer-
tain laws of the United States in light
of the admission of the State of Alaska
into the Union, and for other purposes,
with an amendment, in which it re-
quested the concurrence of the Senate.

LIMITATION OF DEBATE DURING
MORNING HOUR

Mr. JOHNSON of Texas. Mr. Presi-
dent, under the rule, there will be the
usual morning hour; and I ask unani-
mous consent that statements in con-
nection therewith be limited to 3 min-
utes.

The PRESIDENT pro tempore. With-
out objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. Presi-
dent, I should like to inform the Senate

that as soon as the hearings on the
Atomic Energy Commission authoriza-
tion bill are available, I shall ask the
Senate to give unanimous consent to
permit us to expedite our action on that
bill.

I should like to inform the Senate that
next week we expect several appropria-
tion bills to be reported to the Senate.
When the reports and the hearings on
those bills are available, I shall urge
Senators to review them at as early a
date as possible, in the hope that next
week as many of the appropriation bills
as may be available can be brought be-
fore the Senate, notwithstanding the
rule. If there is objection under the
rule, of course, they will go over.

Mr. President—
The PRESIDENT pro tempore. The
Senator from Texas.

PROCEDURE IN CONNECTION WITH
CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. Presi-
dent, under the unanimous consent
agreement which I had entered yester-
day, is the calendar to be called imme-
diately following the morning hour; or
will another request be necessary?

The PRESIDENT pro tempore. If the
agreement already entered is to be
changed, another request will be re-
quired.

Mr. JOHNSON of Texas. However,
under the order already entered, when is
the calendar to be called?

The PRESIDENT pro tempore. At the
conclusion of the routine morning busi-
ness.

Mr. JOHNSON of Texas. That is
fine; that is what I had intended.

It was suggested to me that, under the
order which has been entered, it might
be possible for extended speeches to be
made prior to the call of the calendar.
However, I understand that that would
not be the case, but that only speeches
within the 3-minute limitation would
be in order at that time.

The PRESIDENT pro tempore. That
is correct.

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

Mr. JOHNSON of Texas. I yield.
Mr. DIRKSEN. I assume that, under
the order, the call of the calendar will
be limited to the consideration of measures
to which there is no objection.

Mr. JOHNSON of Texas. That was
my request.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. Presi-
dent, I move that the Senate proceed to
the consideration of executive business,
to consider the new reports.

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

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid be-
fore the Senate a message from the
President of the United States submit-
ting sundry nominations, which was re-

ferred to the Committee on Armed
Services.

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

EXECUTIVE REPORTS OF
COMMITTEES

The following favorable reports of
nominations were submitted:

By Mr. HILL, from the Committee on La-
bor and Public Welfare:

Eugenie Mary Davie, of New York, to be a
member of the Board of Regents of the Na-
tional Library of Medicine, Public Health
Service;

O. David Garvin, and sundry other candi-
dates, for personnel action in the Regular
Corps of the Public Health Service;

Clarence A. Imboden, Jr., and sundry other
candidates, for personnel action in the Reg-
ular Corps of the Public Health Service;

George Massengill, and sundry other candi-
dates, for personnel action in the Regular
Corps of the Public Health Service;

James C. Allen, and sundry other candi-
dates, for personnel action in the Regular
Corps of the Public Health Service; and

George Moore, and sundry other candi-
dates, for personnel action in the Regular
Corps of the Public Health Service.

THE REGULAR ARMY, THE MARINE
CORPS, THE NAVY, AND THE
NAVAL RESERVE

The PRESIDENT pro tempore. The
new reports on the Executive Calendar
will be stated.

The Chief Clerk proceeded to read
2,702 nominations for the Regular Army,
the Marine Corps, and the Navy and
Naval Reserve, which had been placed
on the Vice President's desk for the in-
formation of Senators.

The PRESIDENT pro tempore. With-
out objection, the nominations will be
considered en bloc; and, without objec-
tion, they are confirmed.

Mr. JOHNSON of Texas. Mr. Presi-
dent, these nominations, almost 3,000 in
number, have been confirmed en bloc.
I ask unanimous consent that the Presi-
dent be immediately notified of the con-
firmation of the nominations.

The PRESIDENT pro tempore. With-
out objection, the President will be
notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. Presi-
dent, 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.

JOINT RESOLUTION OF WISCONSIN
LEGISLATURE

Mr. PROXMIRE. Mr. President, I ask
unanimous consent that a joint resolu-
tion of the Legislature of the State of
Wisconsin be printed in the Record.
This joint resolution makes eminent
good sense. The joint resolution requests
the Postmaster General to issue com-
memorative stamps to promote traffic
safety and combat the tragic loss of life
on our highways. In view of the enor-

mous attention throughout the Nation that can be won by stamps, this suggestion could very well save lives by inculcating a greater awareness of the life and death importance of safe driving on our highways. I ask that the joint resolution be appropriately referred.

There being no objection, the joint resolution was referred to the Committee on Post Office and Civil Service, and, under the rule, was ordered to be printed in the RECORD, as follows:

JOINT RESOLUTION 42, S

Joint resolution relating to the issuance of a series of commemorative stamps on the theme of traffic safety

Whereas the commemorative postage stamp has been used effectively as a device to focus the attention of the American people on great problems in our Nation; and

Whereas the tragic loss of life and property resulting from traffic accidents is one of the great problems facing the American people; and

Whereas the State Medical Society of Wisconsin has proposed that the Post Office Department issue a series of annual commemorative postage stamps during the next 5 years in an effort to stimulate in the motorists an awareness of the need for improved driving habits by the American people: Now, therefore, be it

Resolved by the senate (the assembly concurring), That the Legislature of the State of Wisconsin endorse this proposal of the State Medical Society of Wisconsin; and be it further

Resolved, That copies of this resolution be submitted to the Honorable A. E. Summerfield, Postmaster General of the United States, and to the members of the Wisconsin delegation in Congress.

President of the Senate.
LAWRENCE R. LARSEN,
Chief Clerk of the Senate.
GEORGE MOLINARO,
Speaker of the Assembly.
NORMAN C. CLENDENAN,
Chief Clerk of the Assembly.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. HUMPHREY:

S. 2161. A bill for the relief of Gerald Waytashek; to the Committee on the Judiciary.

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

S. 2162. A bill to provide a health benefits program for Government employees; to the Committee on Post Office and Civil Service. (See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

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

S. 2163. A bill for the relief of Royce C. Plume, a member of the Arapahoe Tribe of Indians; to the Committee on the Judiciary.

By Mr. MUSKIE:

S. 2164. A bill for the relief of Osvaldo Riva Coolidge; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2165. A bill for the relief of Erica Barth; to the Committee on the Judiciary.

By Mr. CASE of South Dakota:

S. 2166. A bill referring to the U.S. Court of Claims certain matters relative to the War Production Board Limitation Order L-208; to the Committee on the Judiciary.

By Mr. CASE of South Dakota:

S.J. Res. 109. Joint resolution to authorize the Secretary of Commerce to apportion the authorized amounts of highway funds for 1961 and 1962, and the Secretary of the Treasury to issue limited interim highway trust fund revenue bonds maturing not later than June 30, 1972; to the Committee on Finance.

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

CONCURRENT RESOLUTION

Mr. HUMPHREY submitted a concurrent resolution (S. Con. Res. 48) to promote peace through the reduction of armaments, which was referred to the Committee on Foreign Relations.

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

HEALTH BENEFITS PROGRAM FOR GOVERNMENT EMPLOYEES

Mr. JOHNSTON of South Carolina. Mr. President, on behalf of myself and the junior Senator from Oregon [Mr. NEUBERGER], I introduce, for appropriate reference, a bill designed to provide employees in the legislative, executive, and judicial branches of the Federal Government with a system of prepaid health benefits. Such a program would provide Federal employees with invaluable assistance in paying for hospital and medical care for themselves and their families.

I compliment the distinguished Senator from Oregon [Mr. NEUBERGER] for his contribution to this proposed legislation. As chairman of the Subcommittee on Insurance of the Committee on Post Office and Civil Service, the Senator from Oregon conducted public hearings during the month of April on 6 different days on Senate bill 94, the bill introduced on January 9, because of the Senator's very recent personal experiences, I feel he brought an awareness of the importance of this subject matter to the individual employees which contributed materially to the design of this bill. In the course of the hearings, 54 witnesses were heard. The witnesses included spokesmen for the Bureau of the Budget, the Civil Service Commission, the Department of Defense, and the Post Office Department. Interest of employees in the legislation was demonstrated by the large number of employee organizations which asked to be heard and to have statements included in the RECORD.

As sponsor of S. 94, I have reviewed the record of the hearings. I came to the conclusion that it would be preferable to introduce a new bill rather than to have the subcommittee undertake the many revisions that were required to prepare a bill acceptable to all.

I believe the bill being introduced today resolves most, if not all, of the differences of opinion and approach which have delayed congressional consideration of this important legislation in the past. The bill provides for a reasonable degree of employee choice among different kinds of health benefits plans. It per-

mits this choice without creating an administrative burden on payroll offices. It provides for a program of health insurance benefits which would automatically class the Federal Government as an enlightened employer, interested in the health and well-being of its employees and their families. The testimony during the hearings made it plain that up to now the Federal Government has lagged far behind private industry in this respect.

An analysis of the bill has been prepared which fully explains the provisions of the bill. I ask unanimous consent that the analysis be printed in the RECORD at the end of my remarks. It is my hope that the Committee on Post Office and Civil Service will give the proposed legislation its immediate attention so that it will be ready for consideration by the Senate in the near future.

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

The bill (S. 2162) to provide a health benefits program for Government employees, introduced by Mr. JOHNSTON of South Carolina (for himself and Mr. NEUBERGER), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

The analysis presented by Mr. JOHNSTON of South Carolina is as follows:

ANALYSIS OF HEALTH BENEFITS PROGRAM FOR GOVERNMENT EMPLOYEES

Background: In one form or another, prepaid health benefits now cover 123 million persons in the United States. This is an indication of the value placed on the opportunity to budget medical care expenses by the American people. More than 75 percent of those enrolled in prepaid plans are enrolled through the place they work, clear evidence of the recognition by private employers that participating with their employees in obtaining health insurance contributes to the well-being and efficiency of their workers. In passing this legislation the Congress would be giving Federal employees a fringe benefit second in importance to a pay raise.

As the Nation's largest single employer, the Federal Government has for many years lagged behind private industry in not making it possible for employees to band together and purchase health insurance at group rates.

In the absence of authorization for payroll deductions and the employer contribution common in industry, Federal employees have on their own initiative developed quasi-groups of various kinds. Employees have made arrangements with Blue Cross and Blue Shield or have formed their own benefit and insurance organizations, or as union members purchased group policies. Despite the resultant complications, the Committee has sought to build upon and strengthen these worthy efforts on the part of employees to protect themselves from disastrous medical bills.

Legislative history: Starting in 1947, there have been at least 30 bills introduced in the House and Senate to establish a program for Federal employees providing for (1) payroll deductions for premiums, (2) Federal contribution, (3) latitude to select a health benefits plan that fits the employees' health needs and pocketbook.

The present administration has sponsored several types of proposals in the past three Congresses. All of them called for a Federal contribution. Extensive hearings were held

in May and June of 1956 by the House Post Office and Civil Service Committee. To date no bill has come out of committee in either the House or Senate, largely because there were disagreements about details between and among employee groups, the carriers and the proponents of the bills.

Hearings on S. 94: The Subcommittee on Health Insurance of the Senate Post Office and Civil Service Committee held 6 days of hearings on S. 94. Fifty-four witnesses were heard. In addition, numerous organizations submitted statements and exhibits. The report on the hearings covers 364 pages. This extensive record shows clearly five significant points: (1) all parties earnestly want to see legislation enacted and are determined that past differences of viewpoint will be resolved, (2) there is a marked preference for a program with broad benefits, to the extent possible on a full-service, no-deductible basis, (3) employees should have free choice among several alternative methods of providing health benefits, (4) the contribution by the Government should be at least 50 percent, (5) future annuitants should be included in the program.

THE NEW BILL

After hearing testimony from the Civil Service Commission, the Bureau of the Budget, the Department of Defense, and the Post Office Department, and from 24 employee organizations, and from 7 representatives of carriers and plans, and from interested organizations and citizens, a new bill has been developed which attempts to resolve the differences in viewpoint and to meet criteria that would make the program generally acceptable to all, as follows:

Effective date: The bill would provide health insurance benefits starting July 1, 1960.

Free choice among plans: For most employees there would be a choice among two or possibly three alternative plans—

1. A Blue Cross-Blue Shield and supplemental benefits package with basic benefits on a service basis, a deductible and a fixed ceiling on the amounts of coinsurance paid by the employee.

2. An insurance company package similar to No. 1, but providing cash indemnity benefits.

3. An insurance company policy providing for a deductible and coinsurance and applying to a wide range of services.

Whether both No. 2 and No. 3 would be offered employees will depend on the judgment of the administering agency and the carriers as to the feasibility of offering both. In any event, either No. 2 or No. 3 would be offered.

Employees eligible to join or already members of national employee organizations sponsoring, contracting for and administering, a health benefits plan may select their organization's existing plan as amended to take advantage of the additional resources provided by the bill.

An employee living in an area where a pre-paid group practice plan is established may elect such a plan. These plans are currently located in Washington, D.C., New York City, San Diego, Los Angeles, and the bay area in California, and in Seattle and Tacoma, Wash. One will be in operation in Detroit before fiscal 1961.

BROAD FRAMEWORK OF BILL

The bill provides a framework within which the Civil Service Commission can develop specific contracts for benefits. For example, it provides for programs of basic benefits coupled with supplemental benefits (major medical expense) and permits insurance company benefits (of the type referred to as comprehensive), which impose an initial deductible paid by the patient and invoke coinsurance on the remainder. While no

maximum amounts of benefits are specified in the bill, the Civil Service Commission would have authority to establish such maximums. The committee considers it unwise to tie the Civil Service Commission's hands by specifying dollar maximums or to spell out in detail the specific benefit structures. Further limitations might prove to be unnecessary and undesirable, or some kinds of benefits might, in time, become inordinately expensive in relation to the service received by employees. Furthermore, we recognize that this country may be on the threshold of several major breakthroughs in the field of medicine and in the organization of medical services; we felt it would be unwise for the legislation to freeze the pattern of benefits so that future contracts would be prevented from including new developments. For example, some new diagnostic test for cancer or heart disease might require some prompt revision of the benefit pattern.

BENEFITS

Under the bill, eligible employees and future annuitants could elect one of three generally available types of benefits:

1. Those providing for the hospital and medical costs associated with care in acute general hospitals plus 80 percent of other health service costs above \$100 per individual per illness;

2. Those providing for a large percentage of all stated health service costs above an initial deductible amount; and

3. The professional, health center and hospital services offered by group practice prepayment plans.

The details of benefits available to employees under each type of plan, as contracted for by the administering agency, are subject to prior review by the Post Office and Civil Service Committees of both Houses of the Congress and must be described in full to employees to enable them to make an informed choice among plans.

ELIGIBLE PERSONS

Employees in the executive, judicial, or legislative branches of the Federal Government would be eligible to enroll for themselves and members of their families, including children to age 19. Certain short-term appointees, seasonal or intermittent workers and the like may be excluded by regulation.

Annuitants who have been enrolled in a health benefits plan under the act and who, after the effective date, retire on an immediate annuity after 12 or more years of service (or retire for disability) may continue under the plan together with those members of their family covered before they retired.

Survivors of eligible retired employees and of employees who may die in service, after completing 5 or more years of service, would be included.

Employees receiving Federal employee compensation, members of their families and their survivors would be eligible under similar conditions.

ADVISORY COUNCIL

The bill creates an advisory council composed of the chairman of the Senate and House Post Office and Civil Service Committees, four other public officials and five members appointed by the President, including a representative of employee organizations.

CONTRIBUTIONS AND COSTS

A health benefits fund is created for handling the moneys collected from employees and contributed by Government.

The bill specifies maximum contributions to be withheld from employees' salaries and annuitants' annuity checks. It is anticipated that actual contributions may be less than the amounts shown when contracts are negotiated with the carriers.

	Maximum biweekly contribution	
	Employee or annuitant	Government
Individual employee.....	\$1.75	\$1.75
Male employee and family (children covered to age 19).....	4.25	4.25
Female employee, dependent husband and children (to age 19).....	4.25	4.25
Female employee, nondependent husband and children (to age 19).....	6.00	2.50

When both husband and wife are employees or annuitants, each may enroll for himself alone but if children are to be included, one spouse and only one must enroll the entire family under a family policy.

ADMINISTRATIVE COSTS

The bill authorizes an appropriation to cover the costs of administering the program during the first fiscal year of its operation. Thereafter, administrative costs would be met from the specified contributions of Government and employees.

AGGREGATE COSTS

Data on the number of married women working for the Government, or the number of instances where husband and wife are both Government employees, does not exist. Hence, the cost estimates that follow assume that (1) 2 million employees will be eligible to participate in the program; (2) 90 percent of them will do so—i.e., 1.8 million employees will elect coverage; (3) 40 percent will enroll as individuals and 60 percent as families; (4) 150,000 women and nondependent husbands will enroll their families; (5) all contracts will be at the maximum biweekly contribution shown. (This assumption results in aggregate costs somewhat above those anticipated.)

On an annual basis, the assumed premiums are \$91 for single employees (\$45.50 from Government) and \$221 for family coverage (\$110.50 from Government).

720,000 single employees times \$91 equals.....	\$65,520,000
1,080,000 employees with families times \$221 equals.....	238,680,000
Total.....	304,200,000

Government contribution ¹	145,300,000
Employee contribution.....	158,900,000

¹ Assumes 150,000 female employees with nondependent husbands enroll and no Government contribution is made on behalf of these husbands.

If premiums proved to be even as little as 10 cents less biweekly on single employees and 25 cents less biweekly on families, the program would cost \$9 million less (\$4.5 million less for Government).

BUREAU OF RETIREMENT AND INSURANCE

The bill creates in the Civil Service Commission a Bureau of Retirement and Insurance headed by a Director responsible to the Commissioners. The Civil Service Commission is given authority to promulgate necessary regulations under the provisions of the act. The Commission is also charged with the responsibility for making continuing studies of the operation of the act in all its aspects, including the extent to which it meets the needs of employees and annuitants and for reporting its findings to the Congress.

THE ALREADY RETIRED ANNUITANTS

The committee considered carefully the problems faced by the present annuitant group in financing their health needs from

their retirement incomes. After due consideration the conclusion was reached that their problem was of such a magnitude and complexity that it required separate study and separate legislation. The annuitant group would be expected to have higher utilization than active employees. Since they equal more than 15 percent of the number of active employees, their inclusion in the same program could raise the overall costs of the program by 30 or more percent. The committee intends to devote the necessary time to a study of the problem. It has every expectation of introducing a separate proposal that will, it is hoped, bring to these deserving former civil servants some of the advantages inherent in group purchase of health insurance.

Mr. NEUBERGER. Mr. President, I am happy to join with the distinguished senior Senator from South Carolina [Mr. JOHNSTON] in introducing a new bill to provide a program of prepaid health benefits for employees of the legislative, executive, and judicial branches of the Federal service.

The Subcommittee on Insurance of the Committee on Post Office and Civil Service, of which I am chairman, held extensive hearings on S. 94. In opening these hearings I asked that the invited witnesses and those wishing to be heard from the executive branch direct their testimony to the objectives of the bill and to possible ways of obtaining these objectives. I indicated our feeling that we were not wedded to the precise provisions or specific language of S. 94. I also called attention to the fact that most employees of the Federal Government are not highly paid individuals and that the needs of the vast majority of Federal employees should be kept in the forefront of our thinking in developing this legislation.

In the course of the 6 days of hearings, we heard from some 55 witnesses. The information they brought to our attention increased our understanding of the problems employees face in coping with serious illness and in the less dramatic day-to-day medical needs.

MANY WITNESSES HEARD ON BILL

The witnesses included 24 employee organizations, from representatives of the medical, dental, and other professions, from Blue Shield, Blue Cross, insurance companies, and group practice plans. We also had witnesses from the American Hospital Association, from mental health organizations, and the like. This extensive record of almost 400 pages has been carefully considered.

We heard testimony for and against deductibles and coinsurance and soon came to realize there were at least two schools of thought in these matters. Our new bill I believe will accommodate both approaches to financing health care. The employee will have a choice of four major types of plans: First, a service benefit plan such as offered by Blue Cross and Blue Shield; second, indemnity benefit plan such as offered by insurance companies; third, group practice prepayment plan where available such as is offered in the Washington area by Group Health Association and on the west coast by the Kaiser Foundation health plan; and, fourth, employee organization plan which is

sponsored by a national employee organization. I am pleased to report that the able committee staff has spent the last 2 days with representatives of the insurance industry and it is my understanding that the industry is in general approval of this bill. The provisions of the bill are such that our employees will obtain protection against a financially crippling illness and assistance with the more routine costs of medical care.

Regretfully, we have bowed to the administration's insistence that the health insurance plan will not take effect until July 1, 1960. We had hoped that such a plan would become operative at least 3 to 4 months earlier than this, but the administration has steadfastly held for the July 1, 1960, operative date solely for budgetary reasons.

The administration, in its testimony on S. 94, argued strongly that Government employees pay two-thirds of the cost of their health coverage. S. 94 provided that the employee pay one-third and the Government two-thirds. From the beginning of the hearings, I made it clear that the administration recommendation with respect to the sharing of the cost was unsatisfactory. Our bill provides a compromise, and the costs are shared equally between the Government and its employees. This is far more fair.

RETIRED FEDERAL EMPLOYEES MUST BE PROTECTED

We considered ways of including the present annuitant group in the coverage. In the interests of having legislation that was acceptable costwise, we have deferred action on a program for the already retired. The administration has opposed providing coverage for the presently retired former Government employees and their dependents and survivors. It is true that the cost of covering this older age group might well run several times the cost of covering active employees. For those of you who are concerned with the health needs of annuitants, let me say I hope to suggest a program particularly for them before long, within the next several weeks. One would be callous, indeed, to overlook the health needs of retired career Government employees. As chairman of the Insurance Subcommittee, I will do everything within my power to make certain that coverage is provided for them.

The bill we are introducing today has been developed through a truly cooperative effort on the part of many people, all of them anxious to see this legislation become law. The bill necessarily represents many compromises between the views of the administration, health organizations, insurance companies, and employee groups. It is my earnest hope that this legislation can be promptly considered by the Congress so that further delay will not be encountered in meeting the health needs of Government employees and their dependents. Private industry has long had health coverage plans for its employees and it is time that the Federal Government, the Nation's largest employer, provide equal benefits in this respect.

In conclusion, I wish to express my gratitude to the distinguished chairman

of the full committee for his cooperation; and I desire further to thank the members of the committee staff for their help in developing this very difficult, technical proposal. We all know that providing medical care and health protection for some 2½ million Federal employees and their dependents is not an easy matter. It is a very complicated, technical, complex, and controversial subject.

I believe we have here the basis for excellent legislation. If this bill becomes law, I think it will provide a model for employers and employees throughout the Nation to establish mutual health protection programs.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a telegram I have just received from a spokesman for the insurance industry endorsing the provisions of our health benefits bill. It is important to emphasize that our bill has previously received the support of Federal employee groups, group practice plans, Blue Cross-Blue Shield, the American Hospital Association, and the American Medical Association.

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

HON. RICHARD L. NEUBERGER,
Chairman, Subcommittee on Insurance, Senate Post Office and Civil Service Committee, U.S. Senate, Washington, D.C.:

Based on our conference with your committee staff yesterday and our understanding of the provisions in the bill which you will introduce today, the insurance business believes that under this bill it would have an opportunity to serve Government employees by offering them a modern pattern of health insurance benefits which has found wide public acceptance and which currently protects millions of employees in private industry.

We are of the opinion that the measure provides a practicable basis for the development of a program of health care benefits for Federal Government employees, their families, and dependents. Prior to final enactment, we urge careful consideration of the relationship of benefits and costs under the proposed legislation, because although almost all types of health care are indicated in the bill, the benefits received will necessarily depend upon the actual number of dollars available.

We hope that prompt action will be taken on the bill and stand ready to provide such further technical assistance as may be desired.

AMERICAN LIFE CONVENTION.
HEALTH INSURANCE ASSOCIATION OF AMERICA.
LIFE INSURANCE ASSOCIATION OF AMERICA.

APPORTIONMENT OF AUTHORIZED AMOUNTS OF HIGHWAY FUNDS FOR 1961 AND 1962 AND ISSUANCE OF LIMITED INTERIM HIGHWAY TRUST FUND REVENUE BONDS

Mr. CASE of South Dakota. Mr. President, I introduce, for appropriate reference, a joint resolution which would authorize the Secretary of the Treasury to issue limited interim revenue bonds to keep the huge Interstate Highway program on schedule.

Grants already made to States for the fiscal years 1959 and 1960 have depleted the highway trust fund, which is formed

by highway-user taxes to finance road construction.

This leaves the Secretary of Commerce unable to make State apportionments for 1961 and 1962 unless a new source of funds is found.

Under the joint resolution I am introducing, the Treasury could issue against the highway fund short-term notes totaling not more than \$5 billion up to 1972. No more than \$2 billion could be borrowed before July 1, 1961, when a special report on the Interstate Highway program cost and progress is due.

The interest on the notes or bonds issued, as well as the notes and bonds themselves, would be repaid from trust fund earnings by 1972, when present highway levies expire.

A pay-as-you-go clause now in Federal law was suspended for the years 1959 and 1960. The House Public Works Committee has recommended that it be suspended again for the fiscal year 1961. But that would throw onto the General Treasury the burden of meeting the contractor bills and would add from \$2 billion to \$3 billion to Treasury deficits.

Mr. President, that solution, I am afraid, would not receive general acceptance.

The administration has recommended a 1½-cent increase in the Federal gasoline tax. Thus far there has been little congressional support for it.

So I am introducing this joint resolution for interim financing in an effort to find a solution which would secure the necessary acceptance.

Mr. President, I do not know that other Senators will wish to join me at this time in sponsoring the joint resolution. However, one or two Senators have indicated some interest in this measure. Therefore, I ask unanimous consent that the joint resolution lie at the desk until the conclusion of the session on Tuesday of next week in order that other Senators who may wish to join me in sponsoring the joint resolution may have an opportunity to do so.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie at the desk, as requested by the Senator from South Dakota.

The joint resolution (S.J. Res. 109) to authorize the Secretary of Commerce to apportion the authorized amounts of highway funds for 1961 and 1962 and the Secretary of the Treasury to issue limited interim highway trust fund revenue bonds maturing not later than June 30, 1972, introduced by Mr. CASE of South Dakota, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF CERTAIN LAWS RELATING TO THE ADMISSION OF THE STATE OF ALASKA INTO THE UNION

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the House of Representatives which will be stated for the information of the Senate.

The legislative clerk read as follows:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 7120) entitled "An act to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes," and concur therein with an amendment, as follows:

In section 23(a) of the Senate amendment, strike out the word "authorizing" and insert in lieu thereof the word "directing."

Mr. GRUENING. Mr. President, the amendment merely changes the word "authorizing" to "directing" in the proposal of the Administrative Office of U.S. Courts and the Judicial Conference with respect to the desirability of having the U.S. circuit court sit at Anchorage, Alaska. That is the only amendment. I move that the amendment be agreed to.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Alaska state whether this is an amendment to the Alaska omnibus bill?

Mr. GRUENING. It is.

Mr. JOHNSON of Texas. The bill amends various laws in order to facilitate the transition of Alaska from the jurisdiction of Federal laws to the jurisdiction of State laws, does it not?

Mr. GRUENING. That is correct. The bill received the unanimous approval of this body and the other body.

Mr. JOHNSON of Texas. I commend the distinguished Senator from Alaska [Mr. GRUENING] and his colleague [Mr. BARTLETT] for the manner in which they have handled the proposed legislation. I am delighted to know that the bill will be on its way to the White House in a short time.

Mr. GRUENING. My colleague and I are grateful to the Senate and to the other body for their speedy action on the bill.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1959— EXTENSION OF TIME TO HOLD BILL FOR ADDITIONAL COSPONSORS

Mr. BENNETT. Mr. President, my colleague, the Senator from Colorado [Mr. ALLOTT], on June 9, 1959, introduced the bill (S. 2144) to simplify, consolidate, and improve the authority of the Secretary of Agriculture with respect to loans to farmers and ranchers, and for other purposes, which he asked to have lie on the desk until the close of business tonight, to make it possible for other Senators to add their signatures as cosponsors. At the request of the Senator from Colorado, I ask unanimous consent that the bill be permitted to lie on the desk until Monday night for that same purpose.

The PRESIDENT pro tempore. 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. LAUSCHE:

Letter addressed by him to Attorney General William P. Rogers regarding the Parker lynching case in Mississippi.

THE STATE OF CONGRESS

Mr. PROXMIER. Mr. President, various leading Members of Congress have talked in glowing terms about the accomplishments of the Congress to date. Other commentators have called it a "do nothing," "do little," "won't do," or even an "alibi Ike," or perhaps I should say "Alibi is 'Ike'," Congress.

This morning's New York Times carries an objective and, in my judgment, unusually accurate evaluation of what the Congress has done to date.

The point of the New York Times editorial is that if this Congress is to have an impressive record, its job lies ahead. It has not done the job yet.

Congress has made no real progress with such problems as aid-for-education legislation, a farm program, and civil rights, to mention a few of the more important challenges.

On the other hand, as the New York Times points out, the last 2 months of a session are likely to be its most productive. Furthermore, we are in only the first year of the 2-year 86th Congress.

The Times sympathetically perceives another ironic problem of this Congress. As the editorial puts it:

The cruelest of all for a relatively liberal Congress. A group of men elected on pledges of clearing slums, building hospitals and providing jobs in distressed areas finds itself asked instead to raise interest rates and curb spending.

Mr. President, I ask unanimous consent that this shrewd analysis of the progress of the Congress to date be printed in the RECORD at this point.

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

[From the New York Times, June 12, 1959]

THE STATE OF CONGRESS

Senator LYNDON JOHNSON, the Democratic leader, is justified in his annoyance at charges that the present session of Congress is establishing a "won't do" record. As always, the true portrait of the session will be painted in its last 2 months, and Senator JOHNSON has listed an impressive array of legislation he counts on passing in that time. Although the record to date is not exceptional for accomplishment, neither is it a record of unusual sluggishness. Some important items have already reached the President.

But the final judgment of a Congress must rest more on the quality of what is done than the quantity. What are the major problems confronting the country, and what will Congress do about them?

The major problems are of exceptional difficulty and complexity: Labor union reform; the farm problem; the "mix" in our defenses; civil rights and the Negro problem generally; the national shortage of school classrooms; and, involved in some of the others, the fiscal condition of the Government and the ever-present threat of inflation.

Each of these contains its inherent dilemmas. The last named, the "spending" issue, is in a sense the cruelest of all for a relatively liberal Congress. A group of men elected on pledges of clearing slums, building

hospitals and providing jobs in distressed areas finds itself asked instead to raise interest rates and curb spending—and with solid justification.

Many of these dilemmas have temporarily resolved themselves in delay. The men in charge of farm legislation cannot even agree on a wheat program, let alone a basic change in the disastrous farm program generally. Labor reform is touch-and-go in committee in the House. The housing and airport bills, passed with a flourish by the Senate in its first few weeks, are still mired in conference. Civil rights bills have not even been reported by subcommittees in either House. Aid to education faces the same old impasse.

But the problems will not go away just because they are difficult. The President has presented a program in each of these areas. While Senator JOHNSON and his followers obviously cannot be expected to enact the administration plan in every case, they have the responsibility to produce legislation that both attacks the problems and is not so far from the President's wishes as to invite a veto. Senator JOHNSON and Speaker RAYBURN face a formidable task of reconciliation and compromise, a task that has its hardest days ahead. In the end, the evaluation of this Congress will rest upon how well they succeed in it.

CENTENNIAL OF BIRTH OF THOMAS J. WALSH, OF MONTANA

Mr. MURRAY. Mr. President, I call attention to the fact that today is the centennial of the birth of the late illustrious Thomas J. Walsh, Senator from Montana.

Although he may be remembered longest for the notable service he rendered in the exposé of the fraudulent naval oil leases, there are other issues that brought him inevitably along the road to fame. He had the daring and prophetic vision to recognize industrial potentialities in the Nation's resources. He believed that Americans should not allow the immense waterpower in streams to flow to the seas without benefit to the people. But, as his biographer, Miss Josephine O'Keane, has pointed out, he fought every proposal to divest the Nation of this wealth by giving private interests access to public resources and granting favors to private utility companies and other corporations. His views in defense of public power and water rights covered more than 2,000 pages in a single session of the CONGRESSIONAL RECORD. Few bills in the fields of reclamation-irrigation, agriculture, mining, and Federal highway construction escaped his touch. Much of the reclamation-irrigation program now under way, for instance, stems from his prophetic thinking.

His was the laboring oar in connection with the important legislation which resulted in construction of the St. Lawrence Seaway, the creation of which will have profound impact upon the landlocked Middle West. He saw tremendous economic advantages in that waterway. The last public service Senator Walsh rendered was his plea that brought the Seaway Treaty to the Senate Chamber. The measure carried over into a new administration, where others took up the banner the fallen Senator had dropped. Coincidentally, this summer the first oceangoing vessels are docking in Duluth—1,500 miles from

seacoast—and are unloading cargo from the ends of the world.

Senator Walsh, like Jefferson, was always interested in the welfare of the common man. His uncompromising stand for workmen's rights against industrial interests practically made him a legend. Because the postwar unemployment resulted from the cessation of tremendous war expenditures, Senator Walsh contended that it was absolutely necessary that governmental capital should be invested on a large scale to combat the unemployment destitution of 1929. With that end in view, Walsh effectively argued that Congress should formally recognize the maintenance of full employment as a national policy, just as it had decreed as a national policy the right of farmers to parity of income with other groups. He was convinced that nothing contributed more to stable farm prosperity than the maintenance of full employment in the cities and the assurance of adequate purchasing power for both farm and factory products.

The senior Senator from Arizona [Mr. HAYDEN] and the senior Senator from Georgia [Mr. RUSSELL] served with Tom Walsh, and I know that they share the great regard and affection I had for him. The junior Senator from Alaska [Mr. GRUENING] was well acquainted with Tom Walsh. The senior Senator from Wyoming [Mr. O'MAHONEY] served on Senator Kendrick's staff during part of Mr. Walsh's tenure, and recently he called attention to another successful fight led by Tom Walsh. That occurred in 1925, when President Coolidge nominated Charles Beecher Warren, of Michigan, to be Attorney General. Senator Walsh opposed this nomination, not on partisan or personal grounds, but because Mr. Warren was closely associated with the activities of the Sugar Trust. Senator Walsh led the successful fight against confirmation of Mr. Warren's nomination.

Mr. President, in closing I wish to impart one further thought. Earlier this year Montana placed a statue of Charles M. Russell, our great cowboy-artist, in Statuary Hall. Montana is entitled to have one more of its citizens memorialized here in the Capitol. It is up to the State of Montana to decide who the second person shall be. Personally I should be greatly pleased to see the honor go to my distinguished predecessor, Thomas J. Walsh.

Mr. MANSFIELD. Mr. President, it is indeed a privilege and honor to join with my distinguished senior colleague from Montana [Mr. MURRAY] in paying tribute today to the memory of a great statesman, an able legislator, and an outstanding Montanan—Senator Thomas J. Walsh.

Senator Walsh served in the U.S. Senate from 1912 to 1933, and few Members in the history of this legislative body have made such an imprint on the Nation's history and well-being as he did. Only a very few of Senator Walsh's colleagues still serve in the Congress, but the memory of his achievements are very much in evidence.

He is perhaps best known for his determination and persistence in expos-

ing the Teapot Dome scandal. However, Senator Walsh is also a name associated with the very beginning of the movement to construct and open the St. Lawrence Seaway, a project which has only in the past few years actually become a reality. Senator Walsh's life was devoted to the cause of protecting the resources and rights of the American people.

Senator Walsh died at the peak of his career; in fact, he passed away on a train en route back to Washington to accept the appointment as Attorney General in the first administration of President Franklin D. Roosevelt. This happened during the first year I was on the faculty of Montana State University. I had followed his career with keen interest, and found in him the things that one who is interested in public service would aspire to.

He was hard working, quiet, and seemingly aloof, but he was also kind and gentle. He was mild tempered, and did not actively seek headlines. The field of law was obviously his first love, and his legal abilities were recognized around the world.

Senator Walsh was devoted to the Democratic Party, and he was one of its recognized leaders. However, politics at no time overshadowed his obligation to his State and Nation.

Today, June 12, we celebrate the centennial of Senator Walsh's birth. The past 100 years have been eventful years for the United States, and Senator Walsh was very instrumental in forming the path of freedom that we now follow.

Senator Walsh was one of those most seriously considered by the committee which chose five former Senators for special recognition in the Senate reception room. Had the number been seven instead of five, his portrait would now be in that distinguished company.

I am sure that all Montanans will agree with me that Senator Walsh belongs in the ranks of Webster, Clay, Calhoun, La Follette, and Taft.

In closing, I wish to say that I fully support the suggestion made by the senior Senator from Montana that, in addition to the statue of Charles M. Russell, the famous cowboy-artist, which is now in Statuary Hall, the second statue representing Montana, and to which we are entitled, could be of no one held in higher esteem in our State than the late great Senator Thomas J. Walsh.

PROGRAM FOR THE NATIONAL FORESTS

Mr. MURRAY. Mr. President, the Committee on Appropriations in its report on the appropriations bill for the Department of the Interior and related agencies deferred providing additional funds for the Forest Service. This was done because it desired to give the Secretary of Agriculture the opportunity to clear the newly announced program for the national forests within the administration.

This is a reasonable and correct approach. The Assistant Secretary of

Agriculture appeared before the Appropriations Committee on May 18 to present a summary of the program. He told my colleague, Senator MANSFIELD, that the program had been approved by the Secretary of Agriculture and the Bureau of the Budget but the cost estimates had not.

We were told that if money were provided for fiscal year 1960 it could be effectively used. I believe the RECORD clearly shows that all who attended this hearing were impressed. I have given careful study to the goals of this program for the national forests and the estimated costs and benefits.

I, personally, believe we can effectively follow the presently unapproved cost estimates of the Department of Agriculture. I say this because the 12-year costs are at such a figure that even were their use to result in our overinvesting for the first few years the results would be beneficial rather than harmful. Secondly, the 12-year cost estimates are not predicated on completing the total job in that period. The figures represent the basic major investment needs for our national forests.

Finally, as Mr. McArdle, Chief of the Forest Service, told me, if we do not do the things set forth we will not get the benefits this program promises. The compelling need to meet our natural resource needs is such that we cannot afford to delay.

Today 20 Senators joined in sending letters to the Secretary of Agriculture and Director of the Bureau of the Budget endorsing the recommendation of the Committee on Appropriations that a budget request be submitted during this session of Congress to implement the program for the national forests during fiscal year 1960.

I ask unanimous consent that a copy of this letter be printed in the RECORD.

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

JUNE 9, 1959.

HON. MAURICE H. STANS,
Director, Executive Office of the President,
Bureau of the Budget, Washington, D.C.

DEAR MR. STANS: We endorse the recommendation of the Senate Committee on Appropriations urging that a budget request be submitted to Congress during this session to implement the program for the national forests during fiscal year 1960.

We hope that the suggestion of the Committee on Appropriations will receive your prompt and sympathetic consideration.

Sincerely yours,

JAMES E. MURRAY, CLAIR ENGLE, CLINTON P. ANDERSON, MIKE MANSFIELD, WAYNE MORSE, PHILIP A. HART, RALPH YARBOROUGH, WILLIAM PROXMIER, JENNINGS RANDOLPH, JOHN A. CARROLL, ALBERT GORE, JOHN STENNIS, J. W. FULBRIGHT, RICHARD L. NEUBERGER, HENRY M. JACKSON, STUART SYMINGTON, FRANK CHURCH, ERNEST GRUENING, FRANK E. MOSS, HUBERT H. HUMPHREY.

OPPORTUNITY AWAITS THE SENATE: ONE FLOOR BELOW

MR. KEATING. Mr. President, I wish very briefly to again call the attention of the Senate to the special exhibit of American-made scientific teaching equipment which is being held today

until 5 p.m. in room F-67 in the Capitol. This is just one floor below the Senate Chamber, and I can assure every Senator, from personal contact, that a real experience awaits all who go there.

Assembled is a variety of scientific apparatus which has been recently developed by American industry. It is not only an interesting exhibit—it is fun to observe and manipulate the various products. In addition, from this laymen's point of view, the variety of equipment effectively rebuts the allegations which have been made that American industry has not produced any new apparatus in recent years.

Yesterday I had the pleasure of a conducted tour through the exhibit, and after I had observed a number of the products, I had the honor to escort the distinguished minority leader the Senator from Illinois [Mr. DIRKSEN], around the room. I took particular relish in subjecting him to a special spark-making machine which, in addition to being a valuable educational tool, also gives one quite a start. I am told my good friend and I both had our hair standing on end as we experimented with this machine—which is quite a feat for either one of us.

However, Mr. President, I do want to emphasize the seriousness of this exhibit and the high stakes involved. An understanding of the excellence of the American products is essential to a full appreciation of the challenge presented by the Russian effort to flood the domestic market with their equipment and thus score a significant propaganda victory. I hope every Member of this body will have an opportunity to stop at room F-67 to get the American side of this vital story.

CENTENNIAL CELEBRATION OF THE ESTABLISHMENT OF LAND-GRANT COLLEGES AND STATE UNIVERSITIES, AND THE U.S. DEPARTMENT OF AGRICULTURE

MR. WILEY. Mr. President, today on the Senate Calendar there is pending a bill, H.R. 4012, to provide for the centennial celebration of the establishment of land-grant colleges and State universities, as well as the establishment of the Department of Agriculture. The purpose of the bill is to provide funds to mark the centennial celebration of the inauguration of the land-grant program.

As we recall, the Land-Grant Act was signed by President Lincoln on July 2, 1862. This farsighted action opened the way to new educational opportunities for generation after generation of citizens of this great country.

The significance of the land-grant program far exceeds the importance of the legislation itself. During its almost 100-year lifetime, the land-grant program has written itself indelibly into the lives of our people and into the structure of the Nation.

In 1858, Lincoln said:

If we could first know where we are and whether we are tending, we could better judge what to do and how to do it.

Upon this philosophy was established the land-grant system, which through

the improvement of our educational system has better enabled our citizens to judge what needed to be done and how this could be accomplished.

Today in my home State, the University of Wisconsin, which ranks among the leading institutions of higher learning in the country, is a better institution, and has written a finer history, because of the land-grant program. Established in 1849, the university—now in its second century—has a total enrollment of nearly 24,000 students.

Although a single land-grant institution, under one board of regents, the university is actually a combination of 10 different major colleges, schools, and divisions, each as large as the average American college. Prevailing over the campus of this great center of learning is a rich spirit that radiates its dedication to high standards of teaching, research, and public service. A cosmopolitan institution, the university has enrolled students from every State in the Union, the District of Columbia, 5 U.S. possessions, and more than 70 foreign countries.

As a host to its students, the university provides dormitories, a union, special medical care, counsel and advising, loans and scholarships, religious centers, lectures, and a tremendous variety of other activities—athletic, musical, dramatic, artistic, and social. As a great center of research, too, the university's accomplishments are legion in such fields as health, business, industry, agriculture, Government relations, and others.

Above all, however, by far the most important accomplishment of the university has been its output of students who, through acquisition of fine training at the university, have gone out into almost all walks of life to make constructive contributions to communities not only in the United States, but around the world.

The enactment of H.R. 4012 is, therefore, I believe, particularly significant in that it will help to pay recognition, through the centennial in 1962, to the tremendous contribution which the land-grant system has made to our educational program.

As a cosponsor of the Senate version of this legislation, Senate Joint Resolution 66, I am hopeful, therefore, that the bill will not be held up too long on the calendar; but rather that this House-passed measure can get early Senate approval so that arrangements for the centennial celebration can get under way.

I request unanimous consent to have printed at this point in the RECORD a brief statement relating to the purpose of the centennial observances.

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

PURPOSES OF CENTENNIAL OBSERVANCES BY THE LAND-GRANT COLLEGES AND STATE UNIVERSITIES

The Land-Grant Act was signed by President Lincoln on July 2, 1862. It opened the way to equality of opportunity in education; in effect abolished the caste system in American higher education.

A century ago an alarming trend was evident in this country. The proportion of young people going to college was declining. One of every 1,300 went on to college in

1838, for example—but by 1869 the ratio was 1 in 1,900. The Land-Grant Act reaffirmed the American ideal of equal educational opportunity.

The act provided low cost education for the many instead of only the few through Federal grants of land to the States. The proceeds were invested, and income used to establish and endow land-grant colleges. They were to teach agriculture, mechanical arts, and military tactics—without excluding the classical studies and liberal arts.

Today about one-third of college-age people in America are enrolled in some college or university. About 10 of our young men and women go on to college for every 1 in Britain who has that chance. The following figures illustrate the place in the U.S. system of higher education of the 68 land-grant institutions, at least one of them in each State and in Hawaii and Puerto Rico: the land-grant institutions enroll 20 percent of the Nation's college population—award 40 percent of doctorate degrees in all subjects—confer about one-half of all doctorates in the sciences, engineering, and the health professions; all of those in agriculture, and about one-fourth of the total in arts and languages, in business and commerce, and in education, itself, the land-grant institutions train almost one-half of all regular and reserve officers of the Armed Forces through ROTC programs.

Democracy will endure and prosper to the extent that its people learn and understand how to manage their own affairs. Learning and understanding come in large measure through the right of every man to be educated to the limit of his capacity. That is the land-grant idea.

GRADUATION EXERCISES OF FOREIGN SERVICE INSTITUTE, DEPARTMENT OF STATE

Mr. WILEY. Mr. President, this morning it was my privilege to attend the graduation exercises of the Foreign Service Institute of the Department of State. The President of the United States attended the exercises. Although Secretary of State Herter was not there, the Assistant Secretary of State was. The Foreign Service Institute was established by Secretary Dulles a little more than a year ago and is doing outstanding work.

I ask unanimous consent that the program of the exercises be printed at this point in the RECORD.

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

PROGRAM OF THE FOREIGN SERVICE INSTITUTE, DEPARTMENT OF STATE, SENIOR OFFICER COURSE GRADUATION EXERCISES, 11:30 A.M., FRIDAY, JUNE 12, 1959, THE FOREIGN SERVICE INSTITUTE, ARLINGTON TOWERS, VA.

Address: Assistant Secretary of State.
Remarks by the President.
Presentation of class: Willard F. Barber, Coordinator, Senior Officer Training.
Awarding of diplomas: Harold B. Hoskins, Director, Foreign Service Institute.

PARTICIPANTS IN THE SENIOR OFFICER COURSE
SEPTEMBER 1958—JUNE 1959

Foreign Service officers: William O. Boswell, H. Daniel Brewster, Katherine W. Bracken, Donald B. Calder, Juan de Zengotta, Joseph J. Jova, Thomas B. Larson, S. Houston Lay, Raymond E. Lisle, C. Hoyt Price, Jacques J. Reinstein, Carleton B. Swift, Jr.

Department of Commerce: Eugene Maur Braderman.

Department of Defense: Col. James W. Keene, U.S. Marine Corps; Col. Eugene A.

Salet, U.S. Army; Capt. Paul S. Savidge, Jr., U.S. Navy; Col. Robert M. Tuttle, U.S. Air Force.

International Cooperation Administration: Joel Bernstein.

U.S. Information Agency: Frank H. Oram.

GOOD MEN WARNED ABOUT ENTERING GOVERNMENT SERVICE

Mr. MUNDT. Mr. President, it is becoming increasingly evident that this extended character vendetta against Lewis Strauss is having a telling effect on able men across the country who are needed more than ever today to continue the tradition of good government by both career and appointive executives.

A principal concern of the senior Senator from Arkansas and myself in the Government Operations Committee is the matter of incentives for high caliber people to enter Government service. Retirement is already taking a heavy toll of our senior career executives, and personnel officers are witnessing a growing reluctance of young men to come to Washington. One recent survey report shows that about a quarter of our top 750 civil servants are now eligible for retirement with few top-grade people in sight to replace them.

The most precious treasure a man protects and builds in his lifetime is his reputation. Good men are now, however, being justifiably warned against trading not only financial benefits but risking their character and reputation to serve the Nation.

In the process, are such men also willing to face being slandered, insulted, downgraded, and called liars? Are they willing to have their character defamed, their honesty impugned, and their patriotism put to question? One wonders how much a man must endure to serve his country.

Men who have served in the past or would come here for the first time are asking themselves, "Suppose I have said something or done something somewhere along the line which someone down there does not agree with? Is there anything they could pick me apart on? These men of proven success are those who have gotten things done; they are the ones needed, but they cannot be expected to expose their reputations to this ridiculous and grossly unfair Strauss treatment. We must face the fact that good men are being frightened away.

I doubt that many men, Democratic or Republican, are willing to pay the price of reputation that Lewis Strauss is bearing to serve his country today. I feel that we are privileged to have such people in public life today, whether we always agree with them on all issues or not.

I ask unanimous consent to have printed in the body of the RECORD at this point several editorials from various parts of the country reflecting this aspect of our deliberations.

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

[From the Cedar Rapids (Iowa) Gazette]

WELCOME TO PUBLIC LIFE

"Politics? And take the whipping like that? No siree. Not for me."

That expresses the sentiment of a good many Americans today as they follow the dragged-out process to which Adm. Lewis Strauss is being subjected by a Senate committee whose job is to determine whether he should be confirmed for Secretary of Commerce. It is the same process to which Clare Boothe Luce and other prominent and proved former public servants, as well as private citizens of excellent reputation, have had to submit. As columnist Roscoe Drummond says, when this happens the Government, not the individual, is the loser.

It is small wonder that Presidents find it increasingly difficult to attract new faces into public life when Senate committees continually abuse their power in obvious efforts to embarrass the nominees—and, if they finally are confirmed, to render them almost useless to carry out their assigned duties.

The State senate of Iowa learned a good lesson on this in recent sessions. It found that when it abused its confirmation power by refusing to give the green light to individuals of known high caliber for reasons of personality, it lost prestige with the public. In the recent legislative session the State senate used its confirmation power wisely and, thereby regained much lost prestige.

[From the Petersburg (Va.) Progress-Index, May 15, 1959]

IT'S A WARNING TO OTHER MEN

Although President Eisenhower has a vested interest in his nomination of Lewis L. Strauss as Secretary of Commerce, the treatment which is being given the nomination by Senators opposed to it is as bewildering to many others as it is to him. Like any strong man, Mr. Strauss has enemies, but they are going to extraordinary lengths to express their accumulated hostilities.

Whereas nominations too often are confirmed without sufficient senatorial scrutiny of the qualifications of the nominees, this one is receiving a going over which far surpasses justification. The man's competence and loyalty are beyond question, and even the more valid objections are being given an application which is largely irrelevant.

The formerly held expectation that the nomination would be confirmed after a certain amount of oral horseplay is giving way to doubt. Rejection would be a great political rebuff to the administration.

But the significance of the performance transcends its political possibilities and the consideration of fairness to the nominee. The lack of tenderness on the part of republics to public servants is no new thing.

The effect of the outburst of spite, even if it ends in confirmation, will be to make it more difficult to draw men of Lewis L. Strauss' stature into Government service. The desirability of being able to do so speaks for itself. But now any man who is asked to accept such a responsibility and feels inclined to do so is warned by the sniping and feuding over Mr. Strauss that this could happen to him.

[From the Meadville (Pa.) Tribune, May 16, 1959]

GOOD MEN ARE HARD TO GET

A chronic problem of Government administration is the difficulty of securing able men to accept major executive and administrative positions. Men of proven success in private life sometimes hesitate to trade their security and monetary reward for lower paying Government positions where their job tenure is highly uncertain and they are vulnerable to public criticism.

The U.S. Senate now appears to be setting up another roadblock by subjecting appointees to Government posts to unfair and frequently unnecessary questioning. If vilification is the price men must pay for Government position, they may be less inclined to devote their talents to public service.

A Senate committee had Adm. Lewis Strauss, Secretary of Commerce-designate on the griddle for 17 days with key Democrats opposing his nomination. Much of the criticism appears to reflect personality differences and Strauss' inability to maintain friendly relations with Congress when he was Chairman of the Atomic Energy Commission. The initial reaction to appointment of C. Douglas Dillon as Chief Assistant to the Secretary of State and of Ogden R. Reid as Ambassador to Israel was one of criticism. Dillon's nomination since has cleared committee but may run into opposition in the Senate floor.

The Senate is within its rights in examining the competency of men to administer the offices for which they are nominated. But Senators carry their prerogative too far when they raise questions unrelated to the position or when they engage in personality feuds. They hamstring the President's right to pick and choose men with whom he can work and in whom he has confidence. And Senators need to be reminded that not many men will allow themselves to be pilloried for the privilege of serving the public.

[From the Detroit (Mich.) News, May 10, 1959]

PUBLIC SERVICE NOT FOR SECOND RATERS

Seventy percent of the businessmen recruited by the administration between 1953 and 1956 to hold top Government posts served only a year or less.

This dismal statistic reported by the Harvard Business School Club of Washington, D.C., underlies the increasing difficulty the Federal Government is facing in getting top leadership into the some 1,000 leading Government jobs that are filled by political appointment.

Certainly it takes a man at least a year, or most of it to learn a complex executive job, no matter how brilliant he is. Yet apparently most private citizens who try Government service leave before the public gets any fruit from their efforts.

The Government career service has its problems, too. The Hoover Commission suggested a senior civil service of some 1,500 positions but Congress did nothing to set up such a system or induce people to enter it.

Consequently a quarter of the present top 750 civil servants are already eligible for retirement, with no really top-grade talent in line to replace them.

Or take the Government's troubles in finding new engineers and scientists. The Government is the largest employer of these specialists in the country, and it must have them to administer a \$5 billion yearly investment in their fields.

But it is now, by and large, taking the second pickings after private industry drains off the top talent, and many Government jobs in this area are unfilled.

There are many reasons for this situation. In part, Government salaries do not compete with private salaries.

Also Government regulations require too great a financial sacrifice under the conflict of interest regulations to induce many top men to leave private industry for long.

And if they do leave, the business community, rather than honoring their Government service, too often allows others to take over their jobs.

Then there is the question of prestige. In some subtle way in this country, a Government jobholder is still slightly second rate. In our thinking, and in our awarding of social prestige, the Government worker is considered by too many people a free-loader, a boondogger, a bureaucrat.

Add to the financial and prestige problems the fact that Washington politics is a pretty tough mill.

Our congressional methods of confirming a man for a top position, and of criticizing his conduct in office, are more those of the

Inquisition and the Roman arena than of effective personnel placement.

Why, too many executive possibilities ask, should I expose myself to the kind of treatment that has landed on a Lewis Strauss?

This is a serious problem in a world where the Government is a huge and complex machine affecting our daily lives more than any other force in the Nation.

Unless we can develop a higher appreciation for public service as a career, and a more scientific and rewarding method of drawing able minds to it, the democratic system will fail to survive.

For it can be no more efficient than the men at its helm.

[From the Sioux City (Iowa) Journal-Tribune, May 19, 1959]

WHY SHOULD PEOPLE SERVE THE NATION?

Many of the men called to help the Nation by any administration would prefer not to answer the call, but they do answer because of their sense of duty. Some of these men are older, are nearing the close of their successful careers in private business, but still have in them years of experienced service to give. Others are younger men, successes also but with marks still to make, who take time from their own careers to give their Nation the help it has asked. Two examples from the Defense Department are Secretary Wilson and Secretary McElroy.

In all cases, administration appointees must go before the proper Senate committee for examination, since the appointment can become effective only with the Senate's approval. Normally this is a relatively short process during which time the Senators inquire about the appointee's philosophy, his aims for the job he has been asked to take, and try to determine—in theory—how well he is prepared to serve the country. Actually the examination can be very short, as in the case of Secretary Herter, or it can drag out interminably. When that happens, it is usually because one or more Senators are "taking picks" on the appointee because of their dislike of him personally or politically.

This is what has happened in the case of the appointment of Adm. Lewis Strauss to be Secretary of Commerce. Some of Strauss' trouble is his basic conservatism, which put him on the wrong side of the fence in the eyes of nonconservatives in Congress. For exactly the same reasons that Vice President Nixon is attacked for his part in the Hiss Case disclosures, Mr. Strauss is attacked for his part in the Oppenheimer disclosures. That is the source of much of his present opposition. The rest of it comes from public-power advocates, again usually nonconservative. Having exhausted factual bases of their attack on Mr. Strauss, his opponents have most recently been attacking his character and are offering what has deteriorated into a disgraceful exhibition.

This goes a long way toward explaining why successful men and women show increasing reluctance about administrative appointments. Why should they be interested in serving the Nation if, in order to do so, they must accept attacks on their integrity at times and in places where they have no legal recourse? It's a good question, and it is time the remaining statesmen in the Senate answered it in a way that corrects the bad experience so many desirable appointees have had to undergo in order to contribute to the national welfare.

"IT HAPPENED TO JANE"—MOTION PICTURE

Mr. MUNDT. Mr. President, while I have been frequently critical of some of the products of the American motion picture industry, I had the privilege the other evening of seeing a motion picture

which I can recommend to my colleagues. It is entitled "It Happened to Jane." It is a motion picture which is unusually interesting and entertaining, and is the kind of movie which tells something of our American way of life. In that sense I suppose it could be termed propaganda. If so, it is the type of propaganda which conveys a message or a point of view, without in any way letting the propaganda become obvious. It portrays the American free enterprise story. It is the kind of picture which I think, with a little revision, would help sell the American concept of freedom in various areas throughout the world.

The motion picture, "It Happened to Jane," depicts the story of a young widow, played by Doris Day, who is intent on going into the lobster business in a small town in Maine. This delightful story is replete with instances of American ingenuity, stick-to-itiveness, and the portrayal of the American free enterprise process as a great way of life, which all of us should, in every way, seek to perpetuate.

As one who has criticized leftwing propaganda coming from the American motion picture industry, when relaxing entertainment such as the motion picture "It Happened to Jane" is being provided, I think I should state that it is a very constructive type of motion picture entertainment.

INDUSTRIAL DEVELOPMENT AT McNARY TOWNSITE IN OREGON DEMONSTRATES VALUE OF SURPLUS PROPERTY DISPOSAL LAW

Mr. NEUBERGER. Mr. President, in the 85th Congress I sponsored legislation to authorize the Administrator of the General Services Administration to transfer to any Indian tribe surplus property at the McNary townsite in Oregon for the purpose of encouraging industrial development and providing job opportunities for Indians in that area. This bill was approved by Congress and signed by the President.

In February of this year, in accordance with the provisions of this law, a contract between S. & S. Steel Products, Inc., manufacturers of home trailers, and the board of trustees of the Umatilla Indian Tribe was approved by the Secretary of the Interior.

Last month the first product of this combination of private capital, Indian labor and surplus property came off the production line. The company, members of the business community in the towns of Umatilla and Hermiston, and the Confederated Tribes of the Umatilla Reservation, sponsored a recognition ceremony. Recently I received a report on that celebration in the form of a copy of a letter from Thomas H. St. Clair, industrial development specialist with the Bureau of Indian Affairs, to Don C. Foster, Portland area director for the Bureau of Indian Affairs. Mr. St. Clair's comments on the success of the McNary townsite program confirm the wisdom of Congress in enacting legislation enabling this happy blend of industrial components. I ask unanimous consent that his observations be printed in the Record

at this point for the information of the Senate.

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

U. S. DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Portland, Oreg., June 1, 1959.

The Honorable RICHARD L. NEUBERGER,
U. S. Senator,
The U. S. Senate, Washington, D. C.

DEAR SENATOR NEUBERGER: Thank you very much for your letter of May 23, 1959, and the interest you expressed in the Bureau of Indian Affairs' industrial development program at McNary.

I would be most happy to have you use my report to Mr. Don C. Foster, Portland area director, in any way you wish. I am convinced the Bureau's industrial program offers many opportunities for Indians and Indian communities and I would like to congratulate you for your part in its development.

Sincerely yours,

THOMAS H. ST. CLAIR,
Industrial Development Specialist.

MAY 18, 1959.

To: Mr. Don C. Foster, area director, Portland area office.

From: Bureau of Indian Affairs (Branch of Industrial Development).

Subject: S. & S. Steel Products, Inc., McNary, Oreg.

On Friday, May 15, 1959, at 10 a. m., S. & S. Steel Products, Inc., presented its first trailer from the McNary production line to the general public. The company, the Chambers of Commerce of Umatilla and Hermiston, and the Confederated Tribes of the Umatilla Reservation jointly sponsored an appropriate ceremony. Copy of the program is attached.

At the request of the company I assisted in the development of the program and worked with a committee appointed by the interested principals. In addition to the first trailer on the assembly line the company had five other mobile homes in various stages of completion. Members of the production staff, including 14 Indians, were stationed throughout the factory to explain construction techniques to the public. An estimated 400 people took advantage of the open house phase of the program, inspecting the premises and the mobile homes. The company provided a cocktail party and chuckwagon dinner to an invited guest list of 280 people.

It was interesting to note the warm relationship that has been established between the company and the communities of Umatilla and Hermiston. S. & S. Steel Products, Inc., was enthusiastically welcomed initially and it would appear that nothing has occurred in any way to diminish this feeling to date. The company was represented by its president, Mr. William H. Schultz, production superintendent, Mr. Robert Ballard and the townsite manager, Mr. David Wheeler, and all are enthusiastic about the quality of Indian labor provided to date by the Branch of Relocation Services. Statements were made many times that the quality of the workers at McNary is superior to the average worker in the Los Angeles plants of the company.

The company also officially requested that consideration be given to the extension of the training contract for on-the-job training of Indians at its other plants located in Compton and Culver City, Calif. It was agreed that investigation would be made at once to see what could be done to further this idea. The company plans to expand its labor forces as rapidly as possible now that initial problems at McNary have been worked out. It is believed that as many as 200 Indian workers can be on the payroll within a year.

Considerable publicity was given to the dedication ceremonies both by the press and radio, the entire dedication was broadcast throughout the inland area by an on-the-spot broadcast. All major newspapers in that area of Washington and Oregon were represented. Copies of this publicity will be forwarded at a later date. The editor of the official Mobile Homes Manufacturers' publication was present and expressed great interest in the industrial development program of the Bureau of Indian Affairs. He stated that he would give the program official recognition in a forthcoming issue of his magazine.

It is interesting to note that as a direct result of the dedication ceremonies the company received firm orders for mobile homes in excess of a quarter of a million dollars.

THOMAS H. ST. CLAIR,
Industrial Development Specialist.

INTRODUCING VENUS—PROGRAM OF CHAMBERS OF COMMERCE, UMATILLA AND HERMISTON; S & S STEEL PRODUCTS, INC.; CONFEDERATED TRIBES OF THE UMATILLA RESERVATION

Factory building open to the public, 10 a. m. to 1 p. m.

Musical welcome: Umatilla High School Band.

National anthem, 12 noon.

Invocation: Rev. Akira Makino, pastor, Tutuilla Presbyterian Church, Pendleton, Oreg.

Master of ceremonies: Mr. Tom Knight, president, Chamber of Commerce, Hermiston.

State of Oregon: Mr. Julius R. Jensen, director, department of planning and development.

Bureau of Indian Affairs: Mr. Don C. Foster, area director, Portland area office.

Confederated Umatilla Tribes: Mr. David S. Hall, chairman, general council.

S & S Steel Products, Inc.: Mr. Robert Ballard, production superintendent; Mr. William H. Schultz, president.

Benediction: Father Leopold O'Flordan, Our Lady of Angels Church, Hermiston, Oreg.

PARTICIPATION BY REPRESENTATIVE WALTER NORBLAD IN ATLANTIC CONGRESS MEETING OF THE NORTH ATLANTIC TREATY NATIONS

Mr. NEUBERGER. Mr. President, I made some brief remarks in the Senate on June 9 regarding participation by delegates from the State of Oregon in the great Atlantic Congress meeting of the North Atlantic Treaty Organization countries in London. I then listed Representative Edith S. Green; my wife, Maurine Neuberger, and Palmer Hoyt, formerly of Pendleton and Portland, Oreg.

Mrs. Neuberger and the other delegates have now returned from the conference. She tells me that I inadvertently neglected to list as another delegate from our State, the Honorable WALTER NORBLAD, Member of Congress from the First Oregon District. I apologize for this unintentional omission. I am certain that Representative NORBLAD was an able and worthy participant in the London deliberations of the NATO alliance.

FEDERAL HOUSING ADMINISTRATION'S FIRST QUARTER-CENTURY

Mr. ENGLE. Mr. President, this year the Federal Housing Administration is

celebrating its silver anniversary, marking 25 years of progress in the loan insurance field and of service to the people of America.

Throughout these years FHA has continued to increase in stature and to grow in importance as a factor in our economy.

Working not in competition but in partnership with private enterprise toward the common goal of providing good housing at reasonable cost for all Americans, FHA has helped make it possible for nearly 5 million families to become homeowners, nearly 900,000 more families to live in rental or cooperative housing projects, and nearly 22½ million people to improve their properties.

By insuring mortgage loans and property improvement loans which qualified lending institutions make, FHA enables these institutions to give borrowers very favorable loan terms. In addition, the borrower who uses the FHA plan to finance the purchase of a home or the development of a rental or cooperative housing project receives the protection afforded by FHA's analysis of the entire transaction.

One of FHA's most notable accomplishments is the contribution it has made in raising housing standards and bettering living conditions throughout the Nation.

FHA has many different programs but none of them operates out of tax-supplied funds. FHA pays its own way—all the way—out of income derived from fees and premiums received from the people who use its services.

Five years ago, under the Eisenhower administration, FHA repaid to the U. S. Treasury \$85.9 million, of which \$65.5 million was the full amount originally advanced by the Treasury and \$20.4 million was interest.

From 1934 through the end of 1958, the latest date for which tabulated figures are available, FHA's record for my own State of California shows a total loan insurance volume amounting to \$7,042,756,000—broken down as follows:

Number	Amount
754,918 home mortgages	\$5,530,465,000
61,993 project mortgages	534,164,000
2,274,361 property improvement loans	978,127,000
Total	7,042,756,000

For the same period, the national FHA total is nearly \$53½ billion.

With the experience gained from a quarter of a century's sound operations, FHA is ready to face the future in the same progressive fashion it has demonstrated throughout its history.

The services of the Federal Housing Administration to the people of America are invaluable.

I know that the entire membership of the U. S. Senate are with me in saluting the FHA and extending best wishes to Commissioner Julian H. Zimmerman and all his employees for the continued success of their agency.

COMMENCEMENT DAY ADDRESSES
AT GEORGETOWN UNIVERSITY,
JUNE 8, 1959

Mr. GREEN. Mr. President, on Monday, June 8, it was my privilege to participate in the 160th annual commencement exercises at Georgetown University here in Washington, D.C. A total of 1,233 academic degrees were awarded to the graduates. Those present heard two outstanding addresses, the first by Very Rev. Edward B. Bunn, S.J., president of Georgetown University, and the second by the commencement speaker, His Excellency the Most Reverend John J. Wright, D.D., LL. D., bishop of Pittsburgh. I ask unanimous consent to have these two speeches printed in the RECORD.

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

COMMENCEMENT ADDRESS BY VERY REV. EDWARD B. BUNN, S.J., GEORGETOWN UNIVERSITY, JUNE 8, 1959

Your Excellency Archbishop O'Boyle, your Excellency Bishop Wright, distinguished guests, reverend and esteemed members of the faculties, graduates of the class of 1959, honored parents and friends, for the president of your university is laid the charge and responsibility of conducting the activities of Georgetown along the lines, and for the attainment of the purposes established by the revered founder of this venerable college. On him rests the obligation of preserving in their pristine purity the principles and the ideals which have been operative here for 170 years.

Of course, in the day-to-day administration of Georgetown, in the direction of the great and complex organization into which Georgetown has developed, the president must depend upon and delegate to others a great part of his essential task. Hence, as we come to the close of another academic year, and add a new chapter to the annals of Georgetown, I would like first of all to express my sense of obligation and deep gratitude to all those who have faithfully and loyally labored to add this successful year to Georgetown's history—to the regents and the deans of the several schools, to the directors and chairmen, and heads of departments, to the assistants in formulating and executing university policy, who insure that in being faithful to the past handed down to us we are equally true to the responsibilities of the present, and the opportunities and possibilities of the future.

Not least is my sense of obligation and gratitude toward those who have faithfully engaged in the dedicated daily labors of instructing and forming the students. For it is in the classroom and laboratory and seminar that all the policymaking, and the planning and the ideating reach their term and their fruition. The devoted men and women of our faculties are they who translate the ideals and the principles of Georgetown into realities, and transmit to the sons and the daughters of Georgetown the things which Georgetown has to impart to them, and for which they have been entrusted to us. Certainly, all of our instructors and professors, gathered here to bid farewell to the successful candidates, can look out over the ranks of graduates and take pride and satisfaction in the thought that they have had a share in fruits which Georgetown reaps today.

I have said that upon the president rests an obligation of preserving and enhancing the work of Georgetown. But along with the burden of duty there goes also a great prerogative and privilege; namely, the pleas-

ure of speaking in the name of the university, of its administrators and faculties, in addressing to the graduates Georgetown's word of farewell and godspeed.

This privilege, I now claim. In deference to our distinguished and welcome guest invited to address you as commencement speaker, and in anticipation of the kind of inspiration we have learned to expect from the Most Reverend Bishop Wright, I shall not long delay in these remarks, assuring you that their brevity is no index of their warmth and sincerity.

Casting about in mind for an appropriate word to you from your alma mater, so many things occur that would be fitting, and pleasant. I could spend these few moments in congratulation—but the presence of administration and faculties here on this stage, and the happy concourse of guests whom Georgetown welcomes—of your parents and loved ones and friends, all sufficiently attest the feelings of happiness and joy in your accomplishment which pervade all of us. I could spend the time in enlarging on the kind of a world you are going into—a world of trouble, and confusion and problems; but you are mature young men and women, you are aware that life is not easy, that it is precisely a period of testing, that there is no crown without a cross, and no victory without a struggle. I could urge you to be true to the principles and the lessons you have received here at Georgetown, but the diploma you receive today is already a proof that you have faithfully absorbed those lessons, and in granting you that diploma Georgetown has put upon you the stamp of her approval, and expressed publicly and solemnly her confidence and her faith in you.

So I may sum up these, and so many thoughts which this day suggests, in a brief message from one of the Epistles of St. Paul. How often we turn to him, the great Apostle and theologian of the Church of our forefathers, for the wisdom and guidance of his inspired and undying words. Thus he wrote to the Corinthians, so many centuries ago: "Omnia vestra sunt. * * * vos autem Christi"—"all things are yours, and you are Christ's."

All things are yours. Yours is the strength and the sinews of youth, to meet with courage and faith whatever lies ahead. Yours is the flaming sword of truth, to light up the shadowy haunts of error, to purge the lurking minions of evil. Yours is the clear and piercing eye, undimmed by time and failure, to envision the right; and the high heart of hope to strive for the right. Yours is the soul, unblemished by time and the world's slow stain, formed to the good, the beautiful and the true, eager to seek these where they may be found, and, having found them, to share them with others. Yours is the dream, and yours is the means to realize your dream, in the success of time and the attainment of eternity.

And you are Christ's. For this has been a major part of your formation and your education at Georgetown. You have not been trained merely as doctors, or as lawyers, or nurses, your classes and your daily lives here and there on the wide campus of Georgetown have not only prepared you in the sciences and in literature and history. You have learned the deeper lessons of life and of its meaning and purpose, you have been taught the ways in which life should be led, in the precepts and in the example of the most perfect Man, who is at once of our flesh and of the eternally Divine. You have been given a philosophy of life—a philosophy of thought and of action, a norm of judgment and a standard of evaluation. It has been Georgetown's concern to give you of her best unstintingly—she has been concerned for you, that you be trained and prepared by the best possible means, for

your successful application to a career, a profession, a position in life; she has been equally and more concerned for you, that you be trained for life and living. And there is but One who has truly said "I am the Life."

Graduates of Georgetown, all things are yours, and you are Christ's. As you meet here for the last time as a class, looking forward to tomorrow and the paths to the future that stretch unseen before you, Georgetown hails you, Georgetown salutes you, and Georgetown blesses you. May God, in whose service Georgetown has labored for you, keep you one and all in His loving care and guidance, as worthy sons and daughters of your alma mater.

COMMENCEMENT ADDRESS BY HIS EXCELLENCY,
THE MOST REV. JOHN J. WRIGHT, D.D.,
LL. D., GEORGETOWN UNIVERSITY, JUNE 8,
1959

Most Reverend Archbishop, Reverend Father President, ladies and gentlemen, let me speak for all those honored today by honorary degrees our word of tribute, and congratulations to those who had to earn their degrees.

At about the year when I got myself graduated from Boston College there was a popular song, the lyrics of which promised abiding happiness, unalloyed, to all those who would remember to include in their lives—

"A little kiss each morning, a little kiss each night."

The advice was mildly potty; it held forth the hope—

"We'll be so happy, we'll always sing,
If we'll remember one little thing,
A little kiss each morning,
A little kiss each night."

It was not entirely without realism. It contemplated some of the sterner possibilities of life:

"Who knows if sorrow may cause us tears,
An empty cupboard, a night of fears?
A little kiss each morning,
A little kiss each night."

Alas, the advice left out the problems of a few of us, who have subsequently managed to scrounge out of life a few scraps of happiness without. And undoubtedly for one and all it was a slight oversimplification of the difficulties of existence in the postgraduate world. However, the lyric has been ringing in my brain for these last few days, so I decided that I might well present some small counsel, such as is expected on these occasions, by echoing at least a bit of the phrasing of the lyrics which have returned to haunt me after these almost three decades.

For one and all, whatever the callings or pursuits to which we will henceforth devote ourselves, certain signs and circumstances of the times suggest that one offer some more universally applicable counsel than the lyrics that I have recalled to you. For instance, I beg you, as you set forth to make your first million, to write the great American novel, to save the world from communism or to become the Chief Justice of the United States, I ask you to make early and determined plans to include in your busy and useful lives a little leisure. Before the scramble becomes too intense and too involved, I ask you to reflect on some of the sobering statistics which make very timely the recommendation that you make provision for a little leisure. We are constantly impressed by the citations given out by the junior chambers of commerce, by all manner of organizations in our so intrepid and enthusiastic activist country as to the tremendous numbers of those who make

their fortunes and arrive at their posts of trust in church and State before they are, oh, say 40.

I ask you to check some of the insurance company statistics with regard to those who have their first coronary before they are 40, and for the same reasons. I suggest that you dig out from the files of the public library an article which appeared in the Saturday Evening Post 3 years ago which paid tribute to the tremendous numbers of American college and university men and women who arrived very early in life and were buried very shortly later. An article under the title, "The Youngest Men in the Cemetery"—a very sobering article—and I suggest that you read it within a few days of graduation week, before you become involved in what may otherwise deprive you, unless you plan carefully, of a little leisure.

"What is this life if, full of care, we have no time to stand and stare?

No time to stand beneath the boughs and stare as long as sheep and cows.

"No time to see in broad daylight, streams full of stars, like skies at night.

No time to turn at beauty's glance, and watch her feet how they can dance.

"No time to wait till her mouth can enrich that smile her eyes began.

A poor life this if, full of care, we have not time to stand and stare."

Closely related to this question of leisure in the good and the truly useful life is the question of the important place of mere nonsense in the life of the educated person. One wonders whether a saving sense of humor would not provide as much as almost anything else, save only the faith, that perspective needed to correct some of these grim extremes of our sometimes overly earnest educational and professional work.

In one of America's large cities, one of the very largest, suicide turns up currently as the eighth most frequent cause of death. And the statistics reflecting the number of suicides among the well educated are exceedingly sobering indeed. They would drive a sensitive educator to suicide himself. Such a situation argues many lacks and many limitations among our American intellectuals, but it argues to me in all probability the tragic absence of a sense of humor in the rest of one's educative program and personal growth.

There is a deadly earnestness surrounding the discussion of the current problem of the intellectual life of America and the intellectual life of the Catholic Church, a deadly earnestness which suggests that knowledge and information may be on the increase and wisdom and understanding on the way out.

Education that leaves no time for nonsense is no education at all. In many books on American education which are flooding the markets presently one common note cuts across all differences of progressivism, conservatism, liberalism, aristocracy, classicism, and scientism. It's the appalling absence of any trace whatever of a sense of humor.

Typical is a high-minded report I have in my hands which is entitled "The Pursuit of Excellence—Education and the Future of America." It is the work of a sober group of serious thinkers who are greatly concerned with the greatness of our Nation, its purpose, its courage, its responsibility, its eminence, to quote the prefatory note, and they amass impressive statistics of the work hours needed and the urge of application required if collegiate and university education is to contribute to these so praiseworthy ends. But one asks, as he turns each page, Why is it all so deadly earnest? What has become of the humanistic touch that used to betray a humane preoccupation and that revealed it-

self in an occasional trace of a sense of humor?

Two weeks ago there was a TV panel which brought together a half dozen distinguished educators from all over the country, male and female, and they talked specifically about the education of American university women. Someone asked what place sheer amusement played in the lives of their campuses. Two of the distinguished educators missed the point of the question entirely, three had no comment to make, and one spoke of what she called, with a grim expression on her face, "group diversions." Small wonder that happiness drugs, in the absence of a sense of humor, are being sold in such quantities in the drugstores around so many campuses.

I sometimes think that the students of Harvard University who some years ago hoisted a cow into the belfrey learned more in the process of doing so than they had picked up in the lecture halls during their 4 undergraduate years. In any instance, they got something out of their systems—and that's part of education, too. And I secretly suspect that if they avoided the detection of the dean's office they are now on the board of overseers as the ones most likely to contribute by reason of their initiative and sheer intelligence to the stability and the future of the university.

I suggest that we find place in our professional lives for a little nonsense. I ask too that you reflect on the need for a little impatience—a little impatience with the things that we can change for the better, above all ourselves, but also certain aspects of the society to which as people privileged to pursue so many years of study we are so genuinely indebted.

There is a danger that with the status and the success that you will in all probability have there may come complacency with the world around you and a certain smugness with yourself. Nothing could be more deadly. And so I offer you the pearl of a devout Jew for your meditation:

"Open my eyes to visions set with beauty and with wonder lit,

But let me always see the dirt and all the spawn that die in it.

"Open my ears to music; let me thrill with spring's first flutes and drums,

But never let me dare forget the bitter ballads of the slums.

"From compromise and things half done, keep me, oh God, with stern and stubborn pride,

And when at last the fight is won God keep me still unsatisfied."

And not at all inconsistent with this divine discontent is the further gift I beg you to develop. It is the gift of a little patience—a little patience with the resistance of fallen nature and rebellious history to our benevolent purposes and our sometimes overpat practical solutions for the world's woes. Most of us belong to the revolutionary people, like the Irish, or the warmblooded races, like the Latin, and so we tend to sign up fairly rapidly in any crusades—crusades for economic, political and related changes designed to solve by a speech or two, or a campaign or two, or an election or two, or a war or two, the entrenched problems and accumulated evils of several centuries. We tend to take personal offense at the inertia of the world in the face of our inspiring convictions. This is particularly true when we are confronted by exasperating rejection of or dalliance with the corollaries of a creed which we know to be divinely revealed and to echo God's will for mankind, but which sometimes has rough going against the indifference and the inertia of unregenerate mankind.

Here we do well to have a little bit of God's patience, to offset our generous share of God's wrath. A little patience in the face of what we cannot change, at least alone and overnight, will be helped by reflection on the persevering patience of the church across the centuries, and the silent patience of God in the face of evil, our own included. So too some lines of Coventry Patmore may help a bit:

"Here in this little bay, full of tumultous life and great repose,

Where twice a day the purposeless glad ocean comes and goes,

In the high cliffs and far from the huge town I sit me down.

"For want of me the world's course will not fall,

When all its work is done the lies shall rot. The truth is great and shall prevail

When none cares whether it prevail or not."

I merely ask you to develop a little imagination and, together with it, a little humility.

The golden jubilee of those who today receive their degrees will take place, if all goes well, in June 2009. It is too soon to know on which of the planets the class outing will be held. But the odds still favor this earth and even, though less certainly, this continent. These odds have been challenged, however, in recent months. They were challenged by a trip into space successfully accomplished within the fortnight by two monkeys, one named Able and the other named Baker. They were also challenged, and a little more definitely so, by a trip into space by a dog from Russia named Laiki. Both the monkeys, I am happy to say, were Americans. These three historic creatures have as I have suggested already greatly influenced the golden jubilee plans for the year 2009. These same creatures and all the developments of which they are symbols make it pertinent for you to develop a little imagination and a little humility as we face the future.

The new age of science, using telescopes instead of microscopes and gazing out into God's clear space instead of down into mind's murky psychological depths as the recent scientists have tended to do, will let fresh air into scientific, political, economic, academic thinking of every kind in the half century in which you will do your work. In such era it will be easy for the spirit moving where it will to evoke more ready response. An age of astronomy, the prospect of interplanetary studies and even journeys, these are far removed from the introspective broodings and the negative agnosticism which were the frequent but unnecessary by-products of the 19th century scientists. The directions of the age in which you will live will be quite literally toward the heavens, and once again those with a little patience, a little humor, a little leisure for reflection and repose and meditation, a little impatience with the status quo, a little humility and a little imagination will understand better than have generations what the Hebrew Psalmist meant when he wrote:

"I look up at those heavens of Thine, the work of Thy hands, at the moon and the stars which Thou hast set in their places, and I ask, 'What is man that Thou shouldst remember him; what is Adam's breed that it should claim Thy care? And yet Thou hast placed him only a little below the angels, crowning him with glory and honor and bidding him rule over the works of Thy hand.'"

Georgetown has prepared you to do some part of that ruling, with a little luck and a little prayer and a little reflection on your gratitude to the university and those who made possible your attendance at it, and

the God who is able to make great things out of little virtues.

God bless you.

CONFERRING OF DEGREE OF DOCTOR OF HUMANE LETTERS UPON SENATOR GREEN, OF RHODE ISLAND

Mr. O'MAHOONEY. Mr. President, the University of Georgetown at its commencement exercises on June 8, the 160th annual commencement of that great university at Georgetown, and within the area of the seat of the government of the United States, honored itself by honoring our beloved colleague, Senator THEODORE FRANCIS GREEN, of Rhode Island.

The Senator from Rhode Island, as everybody knows, is a man of advanced years, but no Member of the Senate, and I am sure no Member of the other House of Congress, has ever seen a man carry the burden of more than 90 years so lightly as does the Senator from Rhode Island.

The ability, the knowledge, the skill of the senior Senator from Rhode Island are known to us all. I felt it would be appropriate if I should seek the opportunity in the Senate, which has now been granted to me, to read into the RECORD the citation which was given by the president of Georgetown University, Father Edward B. Bunn, J.J., when he conferred the honorary degree of Doctor of Humane Letters upon our colleague. I read the citation:

To All Who Shall View This Document, Greetings and Peace in the Lord:

Men have ever deemed worthy of deep respect and deserving of peculiar honor those who by Heaven's favor have passed nine fruitful decades in the service of their compatriots and of all humanity. For it is but right to accord to all who excel the due reward of excellence. Respect is always deepened and regard rises to affection when in the prudent counselor, the energetic executive, the sincere patriot, his associates and fellow citizens see a man accessible to all, gentle and kind, loyal to his friends, ever desiring and effectively promoting the interests of his fellow men.

The statesman whom our university is delighted to honor at this commencement continued a long family tradition when he turned early to the practice of law. From court and academic hall he was called to a soldier's duties in the Spanish-American War. Once more, and for the many years to follow, the practice of law offered scope to outstanding talent and crowned tireless effort with conspicuous success. His fellow citizens of Rhode Island shared the fruits of a lengthening experience when they chose him as their representative in the State legislature, when they drew upon his counsel and inspiration during the trying days of World War I, when they twice elected him as Governor of their State. In this office he effectively supported measures designed to alleviate suffering and ameliorate conditions in a particularly trying period. From the highest office of his native State he was called, and called four times over, to the Senate of the United States. By his sponsorship and support of programs of social legislation and adequate national defense, and in particular by his untiring activity as

member and as chairman of the Senate Committee on Foreign Relations, he has for over twoscore years served his country well, at home and abroad. By his travels to several continents and his mastery of several languages he has advanced the causes of international amity and world peace.

It is, then, with the earnest desire that he see many more years of service, that he gather in ever more abundant measure the fine fruits of a full life, and that he remain for his juniors a shining example of unremitting toil, steadfast purpose, and unswerving principles, that the president and directors of Georgetown University create and proclaim THEODORE FRANCIS GREEN, Doctor of Humane Letters, honoris causa.

In testimony whereof we have duly issued these letters under our hand and the seal of the university this 8th day of June 1959.

EDWARD B. BUNN, S.J.,

President.

JOSEPH A. SELLINGER, S.J.,

Secretary.

AMENDMENT OF AGRICULTURE ACT OF 1949, TO STABILIZE SUPPORT FOR TOBACCO

The PRESIDING OFFICER (Mr. PROXMIER in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1901) to amend section 101(c) of the Agricultural Act of 1949 and the act of July 28, 1945, to stabilize and protect the level of support for tobacco, which were, on page 2, lines 14 and 15, strike out "*And provided further,*" and insert "*Provided further,*" and on page 2, line 22, after "*used*" insert:

And provided further, That no part of this authorization shall be used to formulate or carry out a price support program for 1960 under which a total amount of price support in excess of \$50,000 would be extended through loans or purchases made or made available by Commodity Credit Corporation to any person in the 1960 production of tobacco. For the purposes of this proviso, the term "person" shall mean an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity, or a State, political subdivision of a State, or any agency thereof. In the case of any loan to, or purchase from, a cooperative marketing organization, such limitation shall not apply to the amount of price support received by the cooperative marketing organization, but the amount of price support made available to any person through such cooperative marketing organization shall be included in determining the amount of price support received by such person for purposes of such limitation. Such limitation shall not apply to price support on tobacco extended by purchases of tobacco from, or by loans on tobacco to, persons other than the producers of tobacco if the Secretary of Agriculture determines that it is impracticable to apply such limitation. The Secretary of Agriculture shall issue regulations prescribing such rules as he determines necessary to prevent the evasion of such limitation.

Mr. JORDAN. Mr. President, S. 1901, the Tobacco Act, which was passed by the Senate and sent to the House of Representatives, was passed by the House of Representatives with a slight amendment or two. There is a limit of \$50,000 on loans to one farmer.

Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Carolina. The motion as agreed to.

CALL OF THE CALENDAR

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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

Under the order previously entered, the Senate will proceed to the consideration of measures on the calendar to which there is no objection, beginning with Calendar No. 265. The clerk will state the first measure.

SALE OF CERTAIN LANDS TO THE STATE OF MISSOURI

The bill (S. 692) to authorize the sale of certain lands to the State of Missouri was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is hereby authorized to convey by quitclaim deed to the State of Missouri, for public park and recreational purposes only, such areas within the portion of Table Rock Dam and Reservoir project, Missouri, presently leased to said State for public park and recreational purposes, as he shall deem essential to provide building sites for permanent buildings and other improvements for public park and recreational purposes, but not to exceed fifty acres, at fair value as determined by him, which in no event shall be less than the cost to the Government of acquiring such areas, and under such terms and conditions as he shall deem advisable to assure that the use of said areas by the State will not interfere with the operation of said dam and reservoir project and such additional terms and conditions as he shall deem advisable in the public interest.

The conveyance authorized by this Act shall not pass any right, title, or interest in oil, gas, fissionable materials, or other minerals.

In the event actual construction of the said buildings and improvements has not commenced within five years from the effective date of this Act, or in the event said property shall cease to be used for public park and recreational purposes for a period of two successive years, then title thereto shall immediately revert to the United States.

BILL PASSED OVER

The bill (H.R. 5674) to authorize certain construction at military installations, and for other purposes, was announced as next in order.

Mr. ENGLE. Mr. President, I ask that the bill go over, since it is not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

LAURIE DEA HOLLEY AND KARMEN LAEL HOLLEY

The bill (S. 218) for the relief of Laurie Dea Holley and the legal guardian of Karmen Lael Holley, minor child, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laurie Dea Holley of Cannonville, Utah, the sum of \$5,000 and to the legal guardian of Karmen Lael Holley, minor child, \$20,000, in full satisfaction, except as provided in section 2 of this Act, of their claim against the United States for the death of their husband and father, Elmer Leroy Holley, who was fatally injured in an accident which occurred on November 29, 1953, while he was engaged in the performance of his duties as an employee of the United States Senate Post Office.

Sec. 2. This Act or any payment made in accordance with its provisions shall not have the effect of destroying or changing any rights to compensation under the provisions of the Federal Employees' Compensation Act resulting from such death.

Sec. 3. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

RESOLUTIONS PASSED OVER

The resolution (S. Res. 115) to authorize studies as to the effectiveness of present governmental organization and procedures for the development and execution of national policy for survival in the contest with world communism, was announced as next in order.

Mr. ENGLE. Mr. President, I ask that the resolution go over, as not properly calendar business.

The PRESIDING OFFICER. The resolution will be passed over.

The joint resolution (S.J. Res. 69) proposing an amendment to the Constitution of the United States relative to the equal rights for men and women, was announced as next in order.

Mr. ENGLE. Mr. President, I ask that the joint resolution go over as not properly calendar business.

The PRESIDING OFFICER. The joint resolution will be passed over.

FURNISHING OF SUPPLIES AND SERVICES TO FOREIGN VESSELS AND AIRCRAFT

The bill (H.R. 3292) to amend title 10, United States Code, to authorize the Sec-

retary of the Navy to furnish supplies and services to foreign vessels and aircraft, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

LOANS OF NAVAL VESSELS TO THE GOVERNMENTS OF ITALY, TURKEY, AND THE REPUBLIC OF CHINA

The bill (H.R. 3366) to authorize the extension of loans of naval vessels to the Governments of Italy, Turkey, and the Republic of China was considered, ordered to a third reading, read the third time, and passed.

SALE OF COLUMBIA BASIN PROJECT LANDS TO STATE OF WASHINGTON

The bill (H.R. 1306) to provide for the sale of Columbia Basin project lands to the State of Washington, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MORSE subsequently said: Mr. President, I deeply regret that I was not present in the Chamber when the call of the calendar was started. I was in attendance on other official business. Calendar No. 296, House bill 1306, was passed before I reached the Chamber.

Only for the purpose of legislative record I should like to engage in colloquy with the Senator from Washington [Mr. JACKSON] in regard to House bill 1306, a bill to provide for the sale of Columbia Basin project lands to the State of Washington, and for other purposes.

The bill would authorize the sale of not more than 640 acres of irrigable land on the Columbia Basin project to the State of Washington for use by the State College of Washington for agricultural research purposes. It provides that the land so conveyed shall be treated as non-excess lands, under the Columbia Basin Project Act, insofar as deliveries of water from project works are concerned, so long as they are used for the purposes designated in the bill, namely, agricultural research.

Mr. HOLLAND. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. PROXMIER in the chair). The Senate will be in order. The Senator from Oregon will suspend until the Senate is in order.

Mr. MORSE. Under the Columbia Basin Project Act, the limitation on the acreage to which water may lawfully be delivered through a reclamation project is applicable to State-owned lands as well as private land. In the absence of this proposed amendment water could be delivered to no more than 160 acres of State-owned land.

It is my feeling that the acreage limitation provision of our Federal reclamation laws was not designed to be applicable to a research project such as this, in which not only residents of the State, but people throughout the Nation will benefit from the results of the research. For this reason, I am inclined

to favor the bill. However, in order that we may make clear-cut legislative history on one specific point, and in order that there may be no misunderstanding on the point, I would like to ask the very able junior Senator from Washington [Mr. JACKSON] this question: In the event the State of Washington should cease using the lands in question for agricultural research purposes and should sell the land to a subsequent purchaser, would the acreage limitations—with respect to the delivery of water—of the Columbia Basin Project Act be reinstated with respect to these lands?

Mr. JACKSON. Yes. It appears to me to be the clear intent and purpose of this bill to make an exception to the otherwise applicable acreage limitation law with respect to the delivery of water for the purpose of this proposed conveyance alone, and if the grantee named in this conveyance—the State of Washington—should cease using property for agricultural research and should convey to a subsequent purchaser, it seems quite apparent that the acreage limitation—which applies only to the delivery of water—should again be applicable to the lands. My view in this respect is supported by what is said in Senate Report No. 309 accompanying this bill:

H.R. 1306 as approved by the House and reported favorably by the Senate Committee on Interior and Insular Affairs creates a limited exception to the existing law.

Mr. MORSE. I thank the Senator from Washington for his reassurance. I thank him also for his unflinching cooperation with the Senator from Oregon in connection with all Morse formula problems when the Senator from Oregon can demonstrate that the Morse formula is in fact involved. This bill is not objectionable on any Morse formula grounds, and I support it.

CONVEYANCE OF CERTAIN LANDS ON HUNTLEY RECLAMATION PROJECT, YELLOWSTONE COUNTY, MONT.

The Senate proceeded to consider the bill (S. 53) to amend the acts approved April 16 and July 27, 1906 (34 Stat. 116 and 519), so as to authorize the Secretary of the Interior to convey certain lands on the Huntley reclamation project, Yellowstone County, Mont., to school district No. 24, Huntley project schools, Yellowstone County, Mont., which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 4, after the name "Montana", to insert "and block 15 of the original townsite of Huntley, Montana," so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions, terms, and conditions of any other Act of Congress, the Secretary of the Interior shall cause to be conveyed without restriction, save as herein-after set forth, to school district numbered 24, Huntley Project Schools, Yellowstone County, Montana, its successors and assigns, the following described land and premises located and situated in Yellowstone County,

Montana: Lot 3 of block 3 of the original townsite of Ballantine, Montana, and block 14 of the original townsite of Pompeys Pillar, Montana, and block 15 of the original townsite of Huntley, Montana, subject to reservation from said land of a right-of-way thereon for ditches and canals constructed by the authority of the United States in accordance with the provisions of the Act of August 30, 1890 (26 Stat. 391), and any and all existing easements on said lands; reserving to the United States, and its assigns, all coal, oil, gas, and other minerals, including, without being limited by enumeration, sand, gravel, stone, clay and similar materials, together with the usual mining rights, powers, and privileges, including the right at any and all times to enter upon said land and use such part of the surface thereof as may be necessary in prospecting for, mining, saving, and removing said minerals and materials, upon payment of damages caused by said surface use to the owner thereof, or upon giving a good and sufficient bond or undertaking in an action instituted in any competent court to ascertain and fix said damages.

SEC. 2. The Secretary of the Interior is hereby authorized and empowered to execute and deliver to school district numbered 24, Huntley Project Schools, Yellowstone County, Montana, any documentary evidence which he may determine to be necessary to carry out the intent of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KENNETH LASHLEY, JR.

The bill (S. 919) for the relief of Kenneth Lashley, Jr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Kenneth Lashley, Junior, shall be held and considered to be the natural-born alien child of Gertrude Beatrice Lashley, a citizen of the United States.

ROSA MARIA MONTENEGRO

The bill (S. 1053) for the relief of Rosa Maria Montenegro was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Rosa Maria Montenegro, shall be held and considered to be the natural-born alien child of Lieutenant Commander Anderson V. Showen, a citizen of the United States.

KATHARINA HOEGER

The bill (S. 1171) for the relief of Katharina Hoeger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act Katharina Hoeger shall be held and considered to have been lawfully admitted to the United States for permanent residence as

of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

GERALD M. COOLEY

The bill (H.R. 1758) for the relief of Gerald M. Cooley was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF RICHARD ANTHONY NUNES, JR.

The bill (H.R. 2044) for the relief of the estate of Richard Anthony Nunes, Jr., was considered, ordered to a third reading, read the third time, and passed.

MRS. GERTRUDE E. SHETLER

The bill (H.R. 2289) for the relief of Mrs. Gertrude E. Shetler was considered, ordered to a third reading, read the third time, and passed.

MISS MAME E. HOWELL

The bill (H.R. 2586) for the relief of Miss Mame E. Howell was considered, ordered to a third reading, read the third time, and passed.

TRANSMISSION OF PAPERS BY REFEREE IN BANKRUPTCY CASES

The bill (H.R. 4345) to repeal clause (9) of subdivision (a) of section 39 of the Bankruptcy Act (11 U.S.C. 67a(9)), respecting the transmission of papers by the referee to the clerk of the court was considered, ordered to a third reading, read the third time, and passed.

AUTOMATIC ADJUDICATION AND REFERENCE OF CERTAIN BANKRUPTCY CASES

The bill (H.R. 4692) to amend sections 1, 18, 22, 331, and 631 of the Bankruptcy Act (11 U.S.C. 1, 41, 45, 731, 1031) to provide for automatic adjudication and reference in certain cases was considered, ordered to a third reading, read the third time, and passed.

Mr. HRUSKA subsequently said: Mr. President, earlier, on the call of the calendar, the Senate passed H.R. 4692, Calendar No. 307, to amend certain sections of the Bankruptcy Act to provide for automatic adjudication and reference in certain cases.

I ask unanimous consent that a statement I have prepared on the bill be printed in the RECORD prior to the passage of the bill.

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

STATEMENT BY SENATOR HRUSKA

There is now pending in the Senate a bill (S. Res. 91) calling for a study of the problem of congestion and delay in our Federal court system. With H.R. 4692 now before us, it is appropriate to inquire how much of the problem of court delay may be induced, not

by the absence of efficient administrative habits or practices, but by the presence of needless laws imposing useless, though time-consuming, duties upon our judges.

In this connection it is proper to observe that the interests of greater administrative efficiency in our judicial system can be promoted by a continual revision of present laws as well as by the recommendation of additional ones. In such a case, we ought to acknowledge that the solution to the problem of court delays may in part lie beyond the capacity of the courts to achieve and within the exclusive purview of the Congress.

An example of legislative response to the need for improvement in judicial administration can be found in the enactment of H.R. 4692. Prior to the passage of this bill, it was necessary for a district judge to hear voluntary petitions in ordinary bankruptcy proceedings and to make the adjudication upon them. However, the Bankruptcy Act also authorized a judge to refer such cases to a referee. As a practical matter, therefore, the exercise of this power to refer became routine.

Nonetheless, the procedure entailed the entry of an order of reference signed by the judge. H.R. 4692, by providing for the automatic adjudication upon the filing of a voluntary petition and for the reference of all ordinary bankruptcy cases by the clerk of the court (unless the judge directs otherwise), sensibly eliminates one routine step which needlessly consumed the time and attention of the court.

The impact such legislation will have upon the workload of the judges can be appreciated in the realization that more than 90,000 petitions in bankruptcy were filed during the past fiscal year alone. Each of these cases required the performance of the routine duty of entering an order of adjudication of bankruptcy and reference, surely a burdensome task in view of the steady rise in the volume of such cases.

H.R. 4692 does not alter or affect the procedural safeguards provided in the process of adjudication of involuntary cases. Nor is it to be suggested that this bill will itself relieve congestion and delay in our Federal courts. However, it is a step in the right direction.

H.R. 4692 is only one measure of several now pending before the Judiciary Committee regarding bankruptcy administration, all of which are designed to reduce the burdensome and time-consuming duties now imposed by law upon our district judges.

They are welcomed amendments that ought to receive the early and favorable consideration of Congress. By the enactment of such measures, we are able to effect substantial improvements in the efficiency and economy of operations of the courts.

The Administrative Office and the Judicial Conference of the United States are to be commended for proposing and supporting this constructive change in our present law.

KIM FUKATA

The bill (S. 1442) for the relief of Kim Fukata and her minor child was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kim Fukata, the fiancée of James Chaney, Junior, a citizen of the United States, and her minor child, Michael (Chaney), shall be eligible for visas as non-immigrant temporary visitors for a period of three months: Provided, That the administrative authorities find that the said Kim Fukata is coming to the United States with

a bona fide intention of being married to the said James Chaney, Junior, and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Kim Fukata and Michael (Chaney), they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Kim Fukata and Michael (Chaney), the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Kim Fukata and Michael (Chaney) as of the date of the payment by them of the required visa fees.

The title was amended, so as to read: "A bill for the relief of Kim Fukata and her minor child, Michael (Chaney)."

NASUBIT MILDRED MILKIE

The Senate proceeded to consider the bill (S. 977) for the relief of Nasubit Mildred Milkie, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the word "That", to strike out "Nasubit" and insert "Nassibeh", and in line 11, after the word "said", to strike out "Nasubit" and insert "Nassibeh", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Nassibeh Mildred Milkie, who lost United States citizenship under the provisions of section 401(a) of the Nationality Act of 1940, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Nassibeh Mildred Milkie shall have the same citizenship status as that which existed immediately prior to its loss.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Nassibeh Mildred Milkie."

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H.J. Res. 322) for the relief of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, at the beginning of line 8, to strike out "require" and insert "required"; on page 4, line 4, after the word "said," to strike out "Moises Garza Barriga,"; in line 5, after the name "Kyriacou," to strike out the comma and "and Francisco Gomez Olvera"; at the beginning of line 14, to insert "and head tax"; and after line 14, to strike out:

SEC. 5. For the purposes of the Immigration and Nationality Act, Lum Sum Git, also known as George Git Lum, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 1, 1932, upon payment of the

required visa fee. Upon the granting of permanent residence to such alien as provided for in this section of this Act, the Secretary of State shall instruct the proper quota control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

WIDOW OF COL. CLAUD C. SMITH

The Senate proceeded to consider the bill (S. 1667) for the relief of the widow of Col. Claud C. Smith, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 3, after the word "heirs", to insert a colon and "Provided, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of Colonel Claud C. Smith, 7015041, the sum of \$6,675. Such sum shall be in full satisfaction of all claims for compensation for a dwelling house which was erected by the said Colonel Claud C. Smith in 1934 and 1935 on the Fort Jackson Military Reservation, South Carolina, and which has been used by the Army since the said Colonel Claud C. Smith was forced to vacate the same on March 9, 1942, no compensation having been received for such house by the said Colonel Claud C. Smith or his heirs: Provided, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THREE HUNDRED AND FIFTIETH ANNIVERSARY OF VOYAGES OF HUDSON AND CHAMPLAIN

The joint resolution (S.J. Res. 59) requesting the President to issue a proclamation designating 1959 for the observance of the 350th anniversary of the historic voyages of Hudson and Champlain was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America

in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating 1959 as the year of the Hudson-Champlain Celebrations, and calling upon all citizens to join in commemorating the explorations carried out by these heroic men three hundred and fifty years ago.

The preamble was agreed to.

BILL PASSED OVER

The bill (H.R. 4012) to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes, was announced as next in order.

Mr. ENGLE. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

MINIMUM CHARGE ON MAILING OF CERTAIN PIECES

The bill (H.R. 5212) to revise the minimum charge on pieces of mail of odd sizes and shapes was considered, ordered to a third reading, read the third time, and passed.

STRIKING OF MEDALS COMMEMORATING THE SETTLEMENT OF THE STATE OF COLORADO AND THE ESTABLISHMENT OF THE U.S. AIR FORCE ACADEMY

The bill (S. 1991) to provide for the striking of medals in commemoration of the settlement of the State of Colorado and in commemoration of the establishment of the U.S. Air Force Academy was announced as next in order.

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 319, H.R. 7290, which is an identical House bill.

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

The LEGISLATIVE CLERK. A bill (H.R. 7290) to provide for the striking of medals in commemoration of the 100th anniversary of the settlement of the State of Colorado and in commemoration of the establishment of the U.S. Air Force Academy.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1991 is indefinitely postponed.

USE OF FUNDS FROM JUDGMENT IN FAVOR OF COEUR D'ALENE TRIBE OF INDIANS

The bill (S. 2045) to authorize the use of funds arising from a judgment in

favor of the Coeur d'Alene Indian Tribe, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Coeur d'Alene Tribe that were appropriated to pay a judgment by the Indian Claims Commission dated May 6, 1958, and the interest thereon, after payment of attorney fees and expenses may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to Federal and State income tax.

CONVEYANCE OF CERTAIN SCHOOL PROPERTIES TO LOCAL SCHOOL DISTRICTS

The bill (S. 1819) to amend the act of June 4, 1953 (67 Stat. 41), entitled "An act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local school districts or public agencies" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 4, 1953 (67 Stat. 41), as amended, is amended by changing the colon after "Indian tribe", the first time the term appears, to a period and by deleting the following language: "Providing further, That no more than twenty acres of land shall be transferred under the terms of this Act in connection with any single school property conveyed to State or local governmental agencies or to local school authorities."

PER CAPITA DISTRIBUTION OF FUNDS FROM JUDGMENT IN FAVOR OF QUAPAW TRIBE OF INDIANS

The bill (S. 1903) to authorize a per capita distribution of funds arising from a judgment in favor of the Quapaw Tribe, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to prepare a roll of the persons whose names appear on the Quapaw membership roll forwarded under date of January 4, 1890, and whose membership in the tribe was then based upon Quapaw blood rather than solely upon adoption, and the descendants of such persons, who are living on the date of this Act. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, on forms prescribed by the Secretary, within six months after the date of this Act. For a period of three months thereafter, the Secretary shall permit the examination of the applications by the Quapaw Tribal Business Committee or by persons having a material interest therein for the purpose of lodging protests against any application. The determination of the Secretary regarding the eligibility of an applicant shall be final.

SEC. 2. The Secretary shall distribute on a pro rata basis to the persons whose names appear on the roll prepared pursuant to section 1 of this Act, or their heirs or legatees, the balance of the funds on deposit in the Treasury of the United States to the credit of the Quapaw Indians that were appropriated by the Act of August 26, 1954 (68 Stat. 801), in satisfaction of a judgment against the United States that was obtained by the tribe in the Indian Claims Commission on May 7, 1954, and accrued interest thereon. The funds so distributed shall not be subject to Federal or State income tax.

SEC. 3. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a share payable to a deceased enrollee directly to his next of kin or legatees as determined by the laws of the place of domicile of the decedent, upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with the laws applicable to such person in the place of his domicile, or in the discretion of the Secretary to the natural parent or guardian of such person.

SEC. 4. All costs incurred by the Secretary in the preparation of the roll and in the payment of shares in accordance with the provisions of this Act shall be paid by appropriate withdrawals from the judgment fund, but the cost and expense of any litigation that may arise from the preparation of the roll or the payment of shares shall be paid by the United States.

USE OF FUNDS FROM JUDGMENT IN FAVOR OF CERTAIN TRIBES OF INDIANS

The bill (S. 1904) to authorize the use of funds arising from a judgment in favor of the Citizen Band of Potawatomi Indians of Oklahoma, and the Prairie Band of Potawatomi Indians of Kansas, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Citizen Band of Potawatomi Indians of Oklahoma and to the credit of the Prairie Band of Potawatomi Indians of Kansas that were appropriated to pay a judgment by the Indian Claims Commission for inadequate compensation for lands ceded under the treaties of November 15, 1861 (12 Stat. 1191), and February 27, 1867 (15 Stat. 531), and the act of July 1, 1862 (12 Stat. 489), and the interest thereon, may be advanced or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the bands shall not be subject to Federal or State income tax.

DONATION OF CERTAIN LAND TO THE CONFEDERATED TRIBES OF WARM SPRINGS RESERVATION, OREG.

The bill (S. 1818) to donate to the Confederated Tribes of the Warm Springs Reservation, Oreg., approxi-

mately 48.89 acres of Federal land was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the rights, title, and interest of the United States in the land described below are hereby declared to be held in trust for the Confederated Tribes of the Warm Springs Reservation, Oregon: Commencing at a point 5.38 chains west of center of section 25, township 9 south, range 12 east, north 30 chains, west 17.08 chains, south 20 chains, east 2.50 chains, south 10 chains, east 14.63 chains to point of beginning, containing 48.89 acres more or less, being parts of lots 5, 6, 11, 12, and 14 of section 25, township 9 south, range 12 east, Willamette meridian, Jefferson County, Oregon.

PER CAPITA DISTRIBUTION OF FUNDS FROM JUDGMENT IN FAVOR OF CONFEDERATED TRIBE OF SILETZ INDIANS, OREGON

The bill (S. 2029) to authorize a per capita distribution of funds arising from a judgment in favor of the Confederated Tribe of Siletz Indians in the State of Oregon, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to distribute on a pro rata basis, to the persons whose names appear on the final roll approved pursuant to section 3 of the act of August 13, 1954 (68 Stat. 724), or their heirs or legatees, the balance of the funds, after paying approved attorney fees and expenses appropriated by the Supplemental Appropriation Act, 1959, in satisfaction of the judgment against the United States obtained in the Indian Claims Commission in docket Numbered 239, and accrued interest thereon. The funds so distributed shall not be subject to Federal or State income tax.

SEC. 2. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a share payable to a deceased enrollee directly to his next of kin or legatees as determined by the laws of the place of domicile of the decedent, upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with the laws applicable to such person in the place of his domicile, or in the discretion of the Secretary of the natural parent or guardian of such person.

SEC. 3. All costs incurred by the Secretary in the preparation of the roll and in the payment of shares in accordance with the provision of this Act shall be paid by appropriate withdrawals from the judgment fund.

EXCHANGE OF CERTAIN LAND TO THE YAKIMA TRIBE OF INDIANS

The bill (H.R. 5728) to set aside and reserve Memaloose Island, Columbia River, Oreg., for the use of the Dalles Dam project and transfer certain property to the Yakima Tribe of Indians in

exchange therefor, was considered, ordered to a third reading, read the third time, and passed.

SELLING OF SUPPLIES AND FURNISHING SERVICES TO VESSELS AND OTHER WATERCRAFT

The bill (S. 1367) to amend title 14, United States Code, entitled "Coast Guard," to authorize the Coast Guard to sell supplies and furnish services not available from local sources to vessels and other watercraft to meet the necessities of such vessels and watercraft was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 17 of title 14, United States Code, is amended by adding the following new section:

"SEC. 654. The Secretary under such regulations as he may prescribe, may sell to public and commercial vessels and other watercraft, such fuel supplies and furnish such services as may be required to meet the necessities of the vessel or watercraft if such vessel or watercraft is unable—

"(1) to procure the fuel, supplies, or services from other sources at its present location; and

"(2) to proceed to the nearest port where they may be obtained without endangering the safety of the ship, the health and comfort of its personnel, or the safe condition of the property carried aboard.

Sales under this section shall be at such prices as the Secretary considers reasonable. Payment will be made on a cash basis or on such other basis as will reasonably assure prompt payment. Amounts received from such a sale shall, unless otherwise directed by another provision of law, be credited to the current appropriation concerned and are available for the same purposes as that appropriation."

Sec. 2. The analysis of chapter 17 of title 14, United States Code, is amended by adding the following new item:

"654. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services."

SALE OF CERTAIN UTILITIES BY THE U.S. COAST GUARD

The Senate proceeded to consider the bill (S. 577) to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, on page 1, line 9, after the word "or", to strike out "the", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2481 of title 10, United States Code, is amended as follows:

(1) Subsection (a) is amended as follows:
(A) By striking out the words "of a military department" and inserting in place thereof the word "concerned".

(B) By striking out the word "or" immediately following the words "Air Force," and inserting the words "or Coast Guard," immediately following the words "Marine Corps,".

(2) Subsection (c) is amended by striking out the words "of the military department".

The amendment was agreed to.
The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 5140) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to Reorganization Plans transmitted to the Congress at any time before June 1, 1961, was announced as next in order.

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

Mr. ENGLE. Over, by request.
The PRESIDING OFFICER. The bill will be passed over.

PAYMENTS TO INDIANS FOR DESTRUCTION OF FISHING RIGHTS AT CELILO FALLS

The bill (S. 1976) to make payments to Indians for destruction of fishing rights at Celilo Falls exempt from income tax was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds paid by the United States to Indian tribes, the portion of such funds subsequently distributed to members of the tribes or to trustees for or representatives of such members, and the funds paid by the United States directly to individual Indians, as compensation for the loss of fishing rights due to the construction, operation, and maintenance of the Dalles Dam, Columbia River, Washington and Oregon, shall not be subject to Federal or State income tax.

JANET S. DUNN

The resolution (S. Res. 127) to pay a gratuity to Janet S. Dunn was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Janet S. Dunn, daughter of William M. Dempsey, an employee of the Senate at the time of his death, a sum equal to eight months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DELEGATION FROM SENATE AND HOUSE OF REPRESENTATIVES TO THE MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

The concurrent resolution (S. Con. Res. 29) authorizing attendance of delegations from the Senate and House of Representatives at the meeting of the Commonwealth Parliamentary Association was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Vice President and the Speaker of the House of Representatives are authorized to appoint four Members of the Senate and four Mem-

bers of the House of Representatives, respectively, to attend the next general meeting of the Commonwealth Parliamentary Association, to be held in Australia at the invitation of the Australian branches of the Association, and to designate the chairmen of the delegations from each of the Houses to be present at such a meeting.

SEC. 2. The expenses incurred by the members of the delegations and staff appointed for the purpose of carrying out this concurrent resolution shall not exceed \$15,000 for each delegation and shall be paid from the contingent fund of the House of which they are Members, upon submission of vouchers approved by the chairman of the delegation of which they are members.

ATTENDANCE OF DELEGATION FROM SENATE TO MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

The resolution (S. Res. 114) authorizing attendance of a delegation from the Senate at meeting of Commonwealth Parliamentary Association was considered and agreed to, as follows:

Resolved, That the Vice President is authorized to appoint four Members of the Senate as a delegation to attend the next general meeting of the Commonwealth Parliamentary Association, to be held in Australia at the invitation of the Australian branches of the Association, and to designate the chairman of said delegation.

SEC. 2. The expenses of the delegation including staff members designated by the chairman to assist said delegation shall not exceed \$15,000 and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

ADDITIONAL PRINTING OF SENATE DOCUMENT NO. 22 OF THE 86TH CONGRESS ON LABOR-MANAGEMENT POLICIES

The resolution (S. Res. 122) to print additional copies of Senate Document No. 22 of the 86th Congress, on labor-management policies was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Committee on Labor and Public Welfare 10,000 additional copies of Senate Document Numbered 22, 86th Congress, 1st session, entitled "A Collection of Excerpts and a Bibliography Relative to Labor-Management Policies Best Serving the People of the United States."

BILL PASSED OVER

The bill (H.R. 6319) to amend chapter 55 of title 38, United States Code, to establish safeguards relative to the accumulation and final disposition of certain benefits in the case of incompetent veterans was announced as next in order.

Mr. KEATING. Over, by request.
The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF THE CALENDAR

The bill (S. 6) to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons, was announced as next in order.

Mr. ENGLE. Mr. President, by request I ask that the bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

EXTENSION OF SECTION 17 OF THE BANKHEAD-JONES FARM TENANT ACT FOR 2 YEARS

The bill (S. 1941) to extend section 17 of the Bankhead-Jones Farm Tenant Act for 2 years was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Bankhead-Jones Farm Tenant Act, as amended, is amended by striking out "June 30, 1959" and inserting "June 30, 1961".

BILL PASSED TO THE FOOT OF THE CALENDAR

The bill (S. 1521) to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn., conveyed to the State of Tennessee in 1938, was announced as next in order.

Mr. ENGLE. Mr. President, by request I ask that the bill be passed to the foot of the calendar.

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

BILLS PASSED OVER

The bill (S. 1512) to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes, was announced as next in order.

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

Mr. ENGLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1513) to clarify the status of the Federal land banks, the Federal intermediate credit banks, and the banks for cooperatives and their officers and employees with respect to certain laws applicable generally to the United States and its officers and employees, and for other purposes, was announced as next in order.

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

Mr. ENGLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 864) to provide greater protection against the introduction and dissemination of diseases of livestock and poultry, and for other purposes, was announced as next in order.

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

Mr. ENGLE. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

LUTHER M. CROCKETT

The bill (S. 854) for the relief of Luther M. Crockett was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Luther M. Crockett, Lieutenant, United States Navy, retired, Phoenix, Arizona, is hereby relieved of all liability for repayment to the United States of the sum of \$2,838, representing salary paid him in 1957 and 1958 while he was an employee of the Civil Aeronautics Administration, Department of Commerce, in violation of the Act of July 31, 1894 (28 Stat. 162), the said Luther M. Crockett having been erroneously advised by the Department of Commerce prior to his employment with such Department that such Act was not applicable to him.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Luther M. Crockett, the sum of any amounts received or withheld from him on account of the salary payments referred to in the first section of this Act.

MR. AND MRS. FRED A. FLETCHER

The bill (S. 917) for the relief of Mr. and Mrs. Fred A. Fletcher was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Fred A. Fletcher, of Forks, Washington, the sum of \$2,650.15, in full satisfaction of their claim against the United States for reimbursement of expenses incurred by them in connection with the eminent-domain proceedings instituted in 1940 by the United States for the purpose of acquiring their property, described in such proceeding as tract J-200, together with other parcels of land, for the Olympic public works project (P.W.A. 723 A and B), the United States having dismissed such tract from such proceedings after a verdict had been rendered in favor of the said Mr. and Mrs. Fred A. Fletcher in the amount of \$12,266.15: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

CITY OF FORT MYERS, FLA., AND LEE COUNTY, FLA.

The bill (S. 1330) to amend the act entitled "An act for the relief of the city of Fort Myers, Fla., and Lee County, Fla.," approved July 22, 1958, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (a) of the first section of the Act

entitled "An Act for the relief of the city of Fort Myers, Florida, and Lee County, Florida", approved July 22, 1958 (72 Stat. 401), is amended by striking out "\$137,997.64" and inserting in lieu thereof "\$141,997.64".

SOFIA N. SARRIS

The bill (S. 1466) for the relief of Sofia N. Sarris was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Sofia N. Sarris, shall be held and considered to be the natural-born alien child of Louis and his wife, Gladys Sarris, citizens of the United States: *Provided*, That no natural parent of the beneficiary, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.*

ADEODATO FRANCESCO PIAZZA NICOLAI

The bill (S. 1611) for the relief of Adeodato Francesco Piazza Nicolai was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Adeodato Francesco Piazza Nicolai, shall be held and considered to be the natural-born alien child of Antonio Nicolai and Teresa Jezierny Nicolai, citizens of the United States: *Provided*, That the natural parents of Adeodato Francesco Piazza Nicolai shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.*

COMPUTATION OF GOOD TIME ALLOWANCES FOR PRISONERS

The bill (S. 1645) to amend section 4161 of title 18, United States Code, relating to computation of good time allowances for prisoners was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 4161 of title 18, United States Code, is amended by striking out the words "to be credited as earned and computed monthly".

TAUFIC DEOUD GEBRAN AND HIS WIFE

The Senate proceeded to consider the bill (S. 1320) for the relief of Taufic Deoud Gebran (also known as Taufic G. Dawd) and his wife Hanne Elias Wehby Deoud, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "Act", to strike out "Taufic Deoud Gebran" and insert "Taufic Daoud Gebran", and in line 6, after the name

"Wehby", to strike out "Deoud" and insert "Daoud", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Taufic Daoud-Gebran (also known as Taufic G. Dawd) and his wife, Hanne Elias Wehby Daoud, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Taufic Daoud-Gebran (also known as Taufic G. Dawd) and his wife, Hanne Elias Wehby Daoud."

JIM B. HILL

The bill (H.R. 1471) for the relief of Jim B. Hill was considered, ordered to a third reading, read the third time, and passed.

GALVESTON, HOUSTON & HENDERSON RAILROAD CO.

The bill (H.R. 1711) for the relief of the Galveston, Houston & Henderson Railroad Co., was considered, ordered to a third reading, read the third time, and passed.

LEONORA HOLMES MOLA

The bill (H.R. 2011) for the relief of Leonora Holmes Mola was considered, ordered to a third reading, read the third time, and passed.

JOHN F. CARMODY

The bill (H.R. 2100) for the relief of John F. Carmody was considered, ordered to a third reading, read the third time, and passed.

JOSEPH E. GALLANT

The bill (H.R. 2286) for the relief of Joseph E. Gallant was considered, ordered to a third reading, read the third time, and passed.

DR. GORDON D. HOOPLE, DR. DAVID W. BREWER, AND ESTATE OF LATE DR. IRL H. BLAISDELL

The bill (H.R. 3825) for the relief of Dr. Gordon D. Hoople, Dr. David W. Brewer and the estate of the late Dr. Irl H. Blaisdell was considered, ordered to a third reading, read the third time, and passed.

PATRICK W. GOWAN ET AL.

The bill (H.R. 3960) for the relief of Patrick W. Gowan, David Dooling,

Harlie L. Mize, James H. Blaes, and William L. Perkins was considered, ordered to a third reading, read the third time, and passed.

WAIVING CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The joint resolution (H.J. Res. 324) to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens was considered, ordered to a third reading, read the third time, and passed.

AARON GREEN, JR.

The bill (H.R. 3522) for the relief of Aaron Green, Jr., was considered, ordered to a third reading, read the third time, and passed.

RESOLUTION PASSED OVER

The resolution (S. Res. 131), referring S. 882, a bill for the relief of the heirs of J. B. White, to the Court of Claims was announced as next in order.

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

Mr. KEATING. Mr. President, over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

REVISION OF BOUNDARIES OF EDISON LABORATORY NATIONAL MONUMENT, N.J.

The bill (H.R. 318) to authorize a revision of the boundaries of the Edison Laboratory National Monument, New Jersey, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF ADDITIONAL PROPERTY FOR INDEPENDENCE NATIONAL HISTORICAL PARK

The bill (H.R. 2154) to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 2497) to add certain lands located in Idaho to the Boise and Payette National Forests was announced as next in order.

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

Mr. KEATING. Mr. President, let the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

DISCLAIMER OF INTEREST OF UNITED STATES IN CERTAIN LANDS IN COLORADO

The bill (H.R. 3454) to disclaim any interest on the part of the United States

in certain lands in the State of Colorado, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

REVESTED RAILROAD GRANT LANDS IN OREGON AND CALIFORNIA

The bill (H.R. 3495) to direct the Secretary of the Interior to administer certain acquired lands as revested Oregon and California railroad grant lands was considered, ordered to a third reading, read the third time, and passed.

REVISION OF BOUNDARIES OF THE KINGS MOUNTAIN MILITARY PARK, S.C.

The bill (H.R. 3496) to revise the boundaries of the Kings Mountain Military Park, S.C., and to authorize the procurement and exchange of lands; and for other purposes was considered, ordered to a third reading, read the third time, and passed.

LEASING PROVISIONS TO CERTAIN LANDS IN OREGON

The bill (H.R. 4748) to extend the leasing provisions of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869-869-3) to certain lands in Oregon and for other purposes was considered, ordered to a third reading, read the third time, and passed.

REVISION OF BOUNDARIES OF MONTEZUMA CASTLE NATIONAL MONUMENT, ARIZ.

The bill (H.R. 5262) to revise the boundaries of the Montezuma Castle National Monument, Ariz., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

REVISION OF BOUNDARIES OF WRIGHT BROTHERS NATIONAL MEMORIAL, N.C.

The bill (H.R. 5488) to revise the boundaries of Wright Brothers National Memorial, N.C., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS IN NAVAJO COUNTY, ARIZ.

The Senate proceeded to consider the bill (S. 220) to direct the Secretary of the Interior to convey certain lands in Navajo County, Ariz., which had been reported from the Committee on Interior and Insular Affairs, with amendments, in line 4, after the word "to", where it appears the second time, to insert "the successors in interest of"; in line 5, after the name "Hansen", to insert "deceased"; and in the same line, after the amendment just above stated, to strike out "and to his successors and assigns,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled. That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the successors in interest of Neils H. Hansen, deceased, all of the right, title, and interest of the United States in and to the lands conveyed to said Neils S. Hansen by Mrs. C. E. Amos and W. N. Amos, her husband, by a deed dated January 4, 1906, which was recorded on January 10, 1906, on page 265, book 4 of deeds, official records of the county of Navajo, State of Arizona.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AUTHORIZATION OF THE BOY SCOUTS OF AMERICA TO ERECT A MEMORIAL ON PUBLIC GROUNDS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 602) authorizing the Boy Scouts of America to erect a memorial on public grounds in the District of Columbia to honor the members and leaders of such organization, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 8, after the word "section", to insert a colon and "Provided, That if the site selected on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Board of Commissioners of the District of Columbia shall also be obtained.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Boy Scouts of America, Incorporated, a corporation chartered by the Congress of the United States, is authorized to erect a memorial on public grounds in the District of Columbia, the purpose of which will be to honor the past and present members and leaders of such organization and to commemorate the fifty years of outstanding service to our Nation performed by the members and leaders of such organization.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the Commission on Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia upon which may be erected the memorial authorized in the first section: *Provided,* That if the site selected on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Board of Commissioners of the District of Columbia shall also be obtained.

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the Commission on Fine Arts, and the National Capital Planning Commission. Such memorial shall be erected without expense to the United States.

SEC. 3. The authority granted in the first section of this Act shall cease to exist unless (1) the erection of the memorial authorized by such section is commenced within five years from the date of the enactment of this Act, and (2) the Secretary of the Interior finds that, prior to the commencement of the erection of such memorial, sufficient funds are available to insure its completion.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this Act shall be the responsibility of the Secretary of the Interior.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1214) to amend the act of March 11, 1948 (62 Stat. 78) relating to the establishment of the De Soto National Memorial, in the State of Florida, was announced as next in order.

Mr. HOLLAND. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF CALENDAR

The bill (S. 822) to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, P.R., in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes, was announced as next in order.

Mr. ENGLE. Mr. President, by request I ask that the bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

REVISION OF ELIGIBILITY REQUIREMENTS FOR BURIAL IN NATIONAL CEMETERIES

The bill (S. 825) to revise eligibility requirements for burial in national cemeteries, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 14, 1948 (ch. 289, 62 Stat. 234), is amended to read as follows:

"(a) Under such regulations as the Secretary of the Army may, with the approval of the Secretary of Defense, prescribe, the remains of the following persons may be buried in national cemeteries:

"(1) Any member or former member of the Armed Forces who served on active duty (other than for training) and whose last such service terminated honorably.

"(2) Any member of a reserve component of the Armed Forces, and any member of the Army National Guard or the Air National Guard, whose death occurs under honorable conditions while he is—

"(A) on active duty for training, or performing full-time service under section 316, 503, 504, or 505 of title 32, United States Code;

"(B) performing authorized travel to or from that duty or service;

"(C) on authorized inactive duty training, including training performed as a member of the Army National Guard or the Air National Guard; or

"(D) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

"(1) on that duty or service;

"(ii) performing that travel or inactive duty training; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States.

"(3) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while he is—

"(A) attending an authorized training camp or on an authorized practice cruise;

"(B) performing authorized travel to or from that camp or cruise; or

"(C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

"(i) attending that camp or on that cruise;

"(ii) performing that travel; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States

"(4) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.

"(5) The wife, husband, surviving spouse, minor child, and, in the discretion of the Secretary of the Army, unmarried adult child of any of the persons listed in clauses (1)–(4).

"(b) The remains of any person listed in subsection (a)(5) may, in the discretion of the Secretary of the Army, be removed from a national cemetery proper and interred in the post section of a national cemetery or in a post cemetery if, upon death, the related person named in subsection (a)(1)–(4) is not buried in the same or an adjoining gravesite. However, the remains of a person listed in subsection (a)(5) may not be removed from a national cemetery proper if the related person is—

"(1) lost or buried at sea;

"(2) officially determined to be permanently absent in a status of missing or missing in action;

"(3) officially determined to be dead for the purpose of terminating his status of missing or missing in action; or

"(4) one whose remains have not been recovered."

PRESERVATION OF HISTORICAL AND ARCHEOLOGICAL DATA

The bill (S. 1185) to provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as a result of the construction of a dam was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to further the policy set forth in the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461–467), by specifically providing for the preservation of historical and archeological data (including relics and specimens) which might otherwise be irreparably lost or destroyed as the result of flooding, the building of access roads, the erection of workmen's communities, the relocation of railroads and highways, and other alterations of the terrain caused by the construction of a dam by any agency of the United States, or by any private person or corporation holding a license issued by any such agency.

SEC. 2. (a) Before any agency of the United States shall undertake the construction of a dam, or issue a license to any private individual or corporation for the construction of a dam, it shall give written notice to the Secretary of the Interior setting forth the site of the proposed dam and

the approximate area to be flooded and otherwise changed if such construction is undertaken.

(b) Upon receipt of any notice, as provided in subsection (a), the Secretary of the Interior (hereinafter referred to as the "Secretary"), shall cause a survey to be made of the area proposed to be flooded to ascertain whether such area contains historical and archeological data (including relics and specimens) which should be preserved in the public interest. Any such survey shall be conducted as expeditiously as possible. If, as a result of any such survey, the Secretary shall determine (1) that such data exists in such area, (2) that such data has exceptional historical or archeological significance, and should be collected and preserved in the public interest, and (3) that it is feasible to collect and preserve such data, he shall cause the necessary work to be performed in such area to collect and preserve such data. All such work shall be performed as expeditiously as possible.

(c) The Secretary shall keep the instigating agency notified at all times of the progress of any survey made under this Act, or of any work undertaken as a result of such survey, in order that there will be as little disruption or delay as possible in the carrying out of the functions of such agency.

(d) A survey similar to that provided for by section (b) of this section and the work required to be performed as a result thereof shall so far as practicable also be undertaken in connection with any dam the construction of which has been heretofore authorized by any agency of the United States, or by any private person or corporation holding a license issued by any such agency.

(e) The Secretary shall consult with any interested Federal and State agencies, educational and scientific organizations, and private institutions and qualified individuals, with a view to determining the ownership of and the most appropriate repository for any relics and specimens recovered as a result of any work performed as provided for in this section.

Sec. 3. In the administration of this Act, the Secretary may—

(1) enter into contracts or make cooperative agreements with any Federal or State agency, any educational or scientific organization, or any institution, corporation, association, or qualified individual; and

(2) procure the temporary or intermittent services of experts or consultants or organizations thereof as provided in section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and

(3) accept and utilize funds made available for salvage archeological purposes by any private person or corporations holding a license issued by an agency of the United States for the construction of a dam or other type of water or power control project.

Sec. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

PROVISION OF HEADQUARTERS SITE FOR MOUNT RAINIER NATIONAL PARK

The bill (S. 1358) to authorize the Secretary of the Interior to provide a headquarters site for Mount Rainier National Park in the general vicinity of Ashford, Wash., and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to apply the present headquarters site in Mount Rainier National Park to public

use for which it is more suitable and to provide an efficient operating base for the park, the Secretary of the Interior is authorized to provide a park headquarters in the general vicinity of Ashford, Washington, and for such purpose to acquire in this vicinity, by such means as he may deem to be in the public interest, not more than three hundred acres of land, or interest therein.

Sec. 2. The headquarters site provided pursuant to this Act shall constitute a part of Mount Rainier National Park and be administered in accordance with the laws applicable thereto.

BILLS PASSED OVER

The bill (S. 990) to authorize the use of Great Lakes vessels on the oceans was announced as next in order.

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

Mr. KEATING. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2094) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

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

Mr. KEATING. Mr. President, over. Mr. ENGLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO SOPHRONIA SMILEY DELANEY

The PRESIDING OFFICER (Mr. PROXMIER in the chair). The clerk will state the first measure passed to the foot of the calendar.

The LEGISLATIVE CLERK. A bill (S. 6), to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons.

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

Mr. MORSE. Mr. President, reserving the right to object, I wish to say that S. 6 authorizes the conveyance of certain real property of the United States to Sophronia Delaney and her sons for the consideration of \$2,500.

According to the committee report, S. 6 would enable the Government to fulfill its promise to reconvey the land to Mrs. Delaney and her two sons in return for repayment of the full consideration paid by the Government in 1941 which was \$2,500. Under threat of condemnation Mrs. Delaney sold the property to the War Department for rifle-range practice.

In 1946 the property was declared surplus to the needs of the Department and in 1947 was transferred to the Department of Agriculture. The Government has made no improvements on the land. According to the Department of Agriculture the tract is estimated to be worth approximately \$15,000 at the present time.

A question arises as to whether the Government should benefit from its delay in fulfilling its alleged promise. The Department of Agriculture recommends that the bill not be approved.

I should like to have the bill explained to me. Of course I always want to do equity to any citizen who in any way may have been wronged by our Government or subjected to any advantage taken by our Government. What concerns me about the bill is this: The property was sold to the Government in an outright sale in lieu of the Government going through condemnation proceedings. Title vested in the Government. The Government subsequently, some years later, ceased to have further use for the property and declared it to be surplus. The property in the meantime had developed a great increase in value, from some \$2,500 to some \$15,000, which increase in value, in my judgment, belongs to all the taxpayers of the country, not to the original seller of the property.

If those are the facts, I find it very difficult to take a piece of property worth \$15,000 and sell it back to the original owner for \$2,500, which was the price the owner originally received for the property from the Government.

I wish to be reasonable and fair about these matters. Yet at the same time I owe it to every other Senator—if I am going to stand firm on the Morse formula, which I intend to do—to insist that in each case it be demonstrated that the Morse formula is not violated. Failing that, the matter should be put to a vote, and if I should be outvoted, that would end the matter. Therefore, I ask for an explanation of the bill.

Mr. ELLENDER. Mr. President, in compliance with the request of the distinguished senior Senator from Oregon, I will attempt to explain the bill. During the early years of World War II, the Federal Government decided it needed the Delaney homestead as a rifle range. Ever since the conclusion of the war, Mrs. Delaney and her sons have made numerous attempts to regain their property, when it ceased to be of use to the Government as a rifle range. The evidence shows without question that Mrs. Delaney was threatened, as were many others, with court action if she did not sell her land to the Government. Like a good citizen, she decided to sell. The evidence shows conclusively that Mrs. Delaney, although she did not get the statement in writing, was told by the agents who acquired this property for the Government that she would have first preference in getting it back from the Government when it was no longer needed as a rifle range, and that she would not lose anything.

On this property there was an old homestead, which was owned by Mrs. Delaney and her sons. Even the family cemetery is located on the property. What the Government did was to remove from the property the old homestead and other improvements.

I might point out that I do not know how the Department of Agriculture arrives at the estimate of the present value of this property as \$15,000. I doubt very seriously that it is worth that much. As

a matter of fact, the Federal Government has done nothing to improve it over the years it has held title to it. There is timber on this property, which has been growing for the past 15 years. However, I might point out that the Federal Government has already marketed some timber from this land. I might also point out that if Mrs. Delaney had been afforded the opportunity of repossessing this property in line with the verbal promise given her, namely, when it was no longer of use to the Army, then there would have been very little growth conveyed to her.

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

Mr. ELLENDER. My good friend from Minnesota is the Senator who held hearings on this matter. I heard part of them. I believe that an appealing case was made by Mrs. Delaney and her sons. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I merely wish to say that actually the Federal Government did injury to the property during its possession in the war years. It removed buildings which depreciated the value of the property. Besides that, it removed timber which was sold by the Government at a profit.

The other point which needs to be stated—and in which I am certain the Senator from Oregon will be very much interested—is that a number of other homeowners or landowners in the area nearby, during the war years, had sold their property to the Government under the duress of war. They were permitted to repossess it at the end of the war. But in this instance, the Department of Agriculture, Forest Service, saw a piece of land which it could get under the Surplus Property Act, a piece which would be contiguous to other forests. They decided they wanted to hold on to the land.

I have forgotten the name of the Federal forest at the moment.

Mr. ELLENDER. It is the Kisatchie National Forest.

Mr. HUMPHREY. Kisatchie National Forest is not a solid piece of land. Actually, there is another piece within the forest which is privately owned, and some are State owned.

Mr. ELLENDER. The map indicates that in the Kisatchie Forest there are as many as 15 or 20 owners of land similar to that which is claimed by Mrs. Delaney.

Mr. HUMPHREY. So what the matter really boils down to is that the Forest Service—and I can understand their desire—saw a piece of forest land which would fit very neatly into the parcel of the national forest and decided to keep it.

When representatives of the Department of Agriculture appeared before us, I say, most respectfully to them, they made a very poor showing. It was not because they lacked confidence; it was simply that they did not have much of a case.

They really exercised their priority rights under the Surplus Property Disposal Act. They exercised their rights in the instance of the Delaney property, but they did not exercise their rights in

the instances of many other pieces of property which they have held on to.

The Delaney family has been pursuing the effort to get hold of this property ever since.

The young man who came to testify, Mrs. Delaney's son, is himself a forester by profession. He assured the committee, as he assured the Department of Agriculture and the Louisiana State Conservation Department, that modern forestry practices would be adhered to in this area. That is a common practice within the entire region where private properties are owned within the domain of a national forest or within the area of a national forest.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JOHNSTON of South Carolina. It is true, too, that the Government is getting back the same amount of money which was paid for the land in the original instance.

Mr. HUMPHREY. Plus the timber which has been taken off.

Mr. JOHNSTON of South Carolina. This is one instance in which the Government has lost nothing on the land they purchased. In most instances, there is some loss.

Another thing is that the Government let the other persons from whom they bought at the same time they bought from the Delaney's have their land back in 1947, I believe the record will show that to be so. That was 12 years ago.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. MORSE. Mr. President, because I think we may save time, I ask unanimous consent that we be allowed another 5 minutes.

I think a further discussion will clarify the objections to the bill.

Mr. ELLENDER. Mr. President, I ask unanimous consent that I may be yielded another 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Louisiana is yielded 5 additional minutes.

Mr. MORSE. Will the Senator from Minnesota, the Senator from South Carolina, or the Senator from Louisiana help me on a question of fact? Senators know that for many years I have taken the position that if it can be demonstrated that a piece of property was sold to the Federal Government for a specific governmental use, with the understanding that when the Federal Government no longer needed the property for that use, the property would revert, under certain conditions, to the original owners. The Morse formula would not prevent the return of the property under those circumstances.

This principle has been applied to cases involving veterans' hospitals, where land was given to the United States for veterans' hospital use, and later the land was determined to be surplus to the needs of the Government. The unneeded land could properly be returned to the original donor or seller.

What bothers me in this case is a question of fact, and I have to link it

now to the hearings, because I was not present at the hearings.

On page 5 of the committee report is a statement by the Department of Agriculture in the form of a letter, which reads as follows:

Copies supplied to us of correspondence from the Department of the Army indicate that the records of that Department contained no evidence of any agreement or promise to permit the former owners to repurchase the land after the war.

In other words, this was apparently a fee simple transaction, with no reversionary interest retained by the owners at all. It was an out-and-out sale. If it was an out-and-out sale, then any increase in the value of the property should accrue to the benefit of the people of the country as a whole, and not to the original owners.

Mr. ELLENDER. It is true that there is nothing in writing to substantiate the claim of Mrs. Delaney and her son that they would receive first preference to reacquire their land. But evidence in abundance was presented to the committee by persons who knew that the agent who represented the Government stated specifically that Mrs. Delaney would have the right to repurchase the land when the Government had no more use for it. She took it for granted that the agent's promise was so, and she did not go any further into the matter.

Mrs. Delaney has been trying in vain since 1948 to have the Government comply with the verbal promise which was made. There is no question about it.

Mr. MORSE. Frankly, as a former teacher of the law of real property, I find myself in a quandary. If a person wants to transfer title to real property, he does so by a conveyance. If the property is not transferred subject to a conveyance, he can come before the committees of Congress and make statements explanatory of the situation.

This is a very simple matter, with respect to the original conveyance. If it was not sold under a condition or limitation, the conveyance would have said so as a matter of law. But the conveyance did not say so. If I understand the facts correctly, this was an out-and-out conveyance in fee simple, with no restrictions or limitations attached.

I am in a difficult position with regard to this matter. I do not like to be put in the position of seeming to deny to a widow property she wants to get back upon her claim that certain oral promises were made to her at the time of the original conveyance. But the sad fact is that no conditions were attached to the conveyance. What is going to happen to real property rights in this country if we begin to have them upset in the way the transfer of this property would be upset? It is rather important when the records of a real property transfer show an unconditional transfer of title, that it be recognized as unconditional.

I know what probably will happen if a motion is made in connection with this measure. But not so long ago I received from another Member of the Senate a letter, which was none too kindly, in which he stated that I had

yielded on the Morse formula in regard to two Indian bills—one in Arizona, I believe, and one in New Mexico. Mr. President, I did not yield on the Morse formula in regard to those two bills. Instead, I said on the floor of the Senate, on the very day when those bills were passed, that the Morse formula did not apply to them; and I showed how it did not apply to them.

I know how closely I am being watched in connection with application of the Morse formula. Many persons would like to show that I make exceptions to it. But, Mr. President, unless it can be shown that this measure constitutes a proper exception to the Morse formula, I shall object to consideration and passage of the bill.

Of course, the proponents of the bill can bring it up on motion; and then we can argue the matter in connection with the motion.

But after the many years of battle by me on the floor of the Senate in connection with application of the Morse formula, which has saved millions of dollars to the taxpayers of the country, I believe it very important that I not let my head yield to my heart in connection with such a matter.

So, Mr. President, unless my colleagues can show me that this property was sold without any such condition or limitation on it, I shall have to oppose the proposed transfer.

Mr. HUMPHREY. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER. The time available to the Senator from Oregon, under the rule, has expired.

Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I do not object to consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill? The Chair hears none.

There being no objection, the Senate proceeded to consider the bill (S. 6) to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons.

Mr. HUMPHREY. First of all, Mr. President, let me say that the Senator from Oregon has performed an extremely valuable service for the American people, the Government of the United States, and for equity itself, in his desire and determination to see to it that properties which once were held by the Federal Government not be turned over simply willy-nilly for the private gain of some individual, at a sacrifice of the essential rights and the duties of the Government.

But, Mr. President, this measure is the result of a rather intensive investigation, which was participated in by the Senator from North Dakota [Mr. Young], the Senator from South Carolina [Mr. Johnston], the Senator from Louisiana [Mr. Ellender], and myself. I happened to have been the chairman of the subcommittee under the jurisdiction of which this measure came.

We received the testimony of Charles Delaney, the son of Mrs. Delaney. Charles Delaney is a very fine man, and he made an excellent presentation. He

testified to the effect that his mother had asked the Quartermaster Corps officers to lease the land, rather than force the sale of the land, but that they refused to do so, and stated that that was impossible because of the War Department procurement policy and regulations. According to Mr. Delaney's testimony, the officer stated that the land "would either be given back or sold back for the original acquisition price less damages." That was the son's testimony.

An affidavit was filed by John D. Hickman, the project manager, and the Government official who handled all of this transaction.

Furthermore, Mrs. Delaney did not have a lawyer. She is just a little old lady out there in the country; and along came the Government officials, who told her, "The Government wants your land." She pleaded with them not to take the land. Her father was buried in the area; it was a family homestead. She said, "If you have to have it for the war, we will lease it to the Government." They said, "No; the Government has to have it; and if you won't sell it, we will go to court and have it condemned, and take it."

The point is that in the same forest, a similar piece of land was taken; and, after the war, a Member of Congress interested himself in the claim of one of his constituents who said the Forest Service insisted on taking the land, rather than permitting him to buy it back—just as the Forest Service did in the case of the Delaney property. That Member of Congress concerned himself with that situation; and the Forest Service said, "Well, I guess we do not need the land," and let the family buy back the land, which had been taken during World War II.

So we find that within a few miles, in the same national forest environment as the Delaney properties, which were taken at the same time as the properties to the north, are now under the control of the Forest Service, under the terms of the Surplus Disposal Act; but in the case of the properties to the north, because that public official interested himself in protecting a constituent, the Forest Service now says, "Well, we can get along without those properties."

So in this case the Forest Service exercised its right, under the law, in connection with one piece of property, but not in connection with the other; and the Army officials who handled the project for the Army has testified under oath that Mrs. Delaney had been assured that the property would be returned to her after the war, if she wanted it.

Mr. KEATING. Mr. President, will the Senator from Minnesota yield to me? Mr. HUMPHREY. I yield.

Mr. KEATING. In the other case, was the property taken back at the same price?

Mr. HUMPHREY. Yes.

By the way, let me say that I dispute the Forest Service claim of a \$15,000 valuation.

First of all, during the war the property was damaged. It was a gunnery range. A forest is not exactly helped by

being used as a gunnery range. In the second place, the buildings were removed. In the third place, no improvements were made. In the fourth place, the Government took off a substantial cut of timber, and sold it for a profit.

All that this lady is attempting to do is buy back the property for the price for which she sold it. The land has no buildings on it. The land has not been kept up. The timber has been taken off, and the property was damaged during the war.

Fortunately, Mrs. Delaney has a remarkable son, Mr. Charles Delaney. I was deeply impressed by him. He is a graduate forester, and he gave remarkable testimony.

The PRESIDING OFFICER. The time of the Senator from Minnesota, under the rule, has expired.

PURCHASING PRACTICES OF DEFENSE DEPARTMENT

Mr. WILLIAMS of Delaware. Mr. President, on a reservation of objection, I have a brief statement to make on another subject.

Yesterday I called attention to the Comptroller General's report of May 21, 1959, in which he reported to the Congress a second instance wherein the McDonnell Aircraft Corp., St. Louis, Mo., had made unwarranted charges to the U.S. Government on certain contracts which had been awarded to that company on a negotiated rather than on a competitive bid basis.

Today I call attention to another of the Comptroller General's reports, which was just released this week—June 8, 1959—wherein he refers to another instance in which the taxpayers are losing millions of dollars through the present loose purchasing practices of the Defense Department.

This report deals with the ship overhaul contracting activities administered by Industrial Managers, Bureau of Ships, Department of the Navy.

I quote a portion of one section of this report, found on pages 6 and 7, entitled "Increased Ship Overhaul Costs Result From Laxity of Controls Over Supplemental Work":

Our tests indicated that additional work, totaling about \$16 million annually, authorized after award of the contract, costs at least \$2 million more than the same work would have cost if competitive prices had been obtained. The prices negotiated for such work were generally between 115 and 170 percent of competitive prices for the same items.

The full report outlines unnecessary costs of several million dollars resulting from what the Comptroller General described as "lax" practices on the part of the procurement officers. This is but another of the long series of such critical reports that has been made recently by the General Accounting Office.

These reports all emphasize the urgent need for Congress to take action on a bill which will make it mandatory that the Federal Government in all agencies use standard competitive bidding practices to the same extent that they would be used by any sound business establishment.

There has been no stronger argument made in support of S. 1383 which would make such competitive bidding practices mandatory than the statement made by the Comptroller General in this report concerning these unnecessary charges. I quote:

The prices negotiated for such work were generally between 115 and 170 percent of competitive prices for the same items.

In commenting on these reports I think it is only appropriate that specific mention be made of the excellent job being done for the Congress and the American taxpayers by these auditors in the General Accounting Office. Unquestionably, as a result of their work millions of dollars have been saved, and if Congress now does its duty corrective legislation will be enacted.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO SOPHRONIA SMILEY DELANEY

The Senate resumed the consideration of the bill (S. 6) to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons.

Mr. MORSE. Mr. President, I ask unanimous consent to speak 3 minutes on the bill.

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

Mr. MORSE. I should like to have the attention of the Senator from South Carolina and the Senator from Louisiana.

I think the facts are incontrovertible that this is a fee simple transaction. Title was passed without any restriction. The fact that there may have been some misunderstanding on the part of Mrs. Delaney does not change the fact that she signed the deed without any restriction. A deed cannot be changed by subsequent affidavit. Therefore, I do not see how I could possibly be in a defensible position if I let my heart run away from my mind on the equities of this case, when the fact is that complete title to the property was vested in the Federal Government.

Secondly, the Department of Agriculture, up until this moment, I understand, continues to object to this bill, and denies that there were any commitments made to Mrs. Delaney whatsoever. The fact that some Army official in connection with the project now comes forward and, under oath, offers the testimony he gave in the record cannot change the deed. Therefore, so far as the Morse formula is concerned, I must object.

If the Senate wants to follow its procedure of taking this bill up by motion, it has the right to do so. If it thinks the equities are strong enough to act in that way, and overrule the Morse formula, it can do so. I hope it will not do so, but it can.

I must object, and I do object.

The PRESIDING OFFICER. The clerk will call the next bill passed to the foot of the calendar.

The bill (S. 1521) to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn., conveyed to the State of Tennessee in 1938, was announced as next in order.

Mr. MANSFIELD. Mr. President, has the previous bill been passed?

The PRESIDING OFFICER. The previous bill was objected to.

Mr. MANSFIELD. I call for the question.

The PRESIDING OFFICER. The previous bill retains its place on the calendar if it is objected to.

Mr. MORSE. Mr. President, a parliamentary inquiry.

Mr. MANSFIELD. Mr. President, I ask that the Louisiana bill be taken up now and voted on.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Is this a unanimous-consent request?

Mr. MANSFIELD. I make that request in the form of a motion. It is not a unanimous-consent request.

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that a motion is not in order at this time.

Mr. MANSFIELD. Is that because the Senate is still considering calendar business under the unanimous-consent agreement?

The PRESIDING OFFICER. Yes.

DONATION OF CERTAIN LAND TO THE CONFEDERATED TRIBES OF WARM SPRINGS, OREG.

Mr. MANSFIELD. Mr. President, on that basis, I ask unanimous consent that the vote by which Calendar No. 326, Senate bill 1818, to donate to the Confederated Tribes of the Warm Springs Reservation, Oreg., approximately 48.89 acres of Federal land was passed earlier in the day be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I move that the Senate Committee on Interior and Insular Affairs be discharged from further consideration of House bill 6914, and that the Senate proceed to consider the House bill.

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

The LEGISLATIVE CLERK. A bill, H.R. 6914, to donate to the Confederated Tribes of the Warm Springs Reservation, Oreg., approximately 48.89 acres of Federal land.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the bill (H.R. 6914) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1818 is indefinitely postponed.

REMOVAL OF RESTRICTION WITH RESPECT TO CERTAIN LAND IN CUMBERLAND COUNTY, TENN.

The PRESIDING OFFICER. The next bill passed to the foot of the calendar will be called.

The Senate proceeded to consider the bill (S. 1521) to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn., conveyed to the State of Tennessee in 1938, which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 8, after the word "the", to strike out "Farm Security Administrator" and insert "Secretary of Agriculture", and on page 2, after line 16, to insert a new section, as follows:

SEC. 2. The conveyance authorized by this Act shall provide that in the event that the lands cease to be used for public purposes all right, title, and interest therein shall immediately revert to and revest in the United States.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed or other appropriate means to the State of Tennessee all right, title, and interest remaining in the United States in and to the following described tract of land situated in Cumberland County, Tennessee, which is held by such State under a deed executed by the Secretary of Agriculture in 1938:

Beginning at a stake in the center of State Highway Numbered 28 where the lands of Cumberland Homesteads and the lands of Cumberland State Park corner and runs with the centerline of said highway south 45 degrees 12 minutes and 15 seconds east 177.73 feet to a stake; thence continuing with the centerline of said highway south 23 degrees 38 minutes and 30 seconds east 755.40 feet to a stake; thence continuing with the centerline of said highway south 43 degrees 03 minutes and 15 seconds east 155.65 feet to a stake; thence leaving said highway south 44 degrees 13 minutes and 45 seconds west 600 feet to a stake; thence north 29 degrees 54 minutes and 00 seconds west 1,073.90 feet to a stake; thence north 44 degrees 13 minutes and 45 seconds east 600 feet to the beginning; containing 14.36 acres, more or less; being located at the northeast corner of the Cumberland State Park in Cumberland County, Tennessee.

SEC. 2. The conveyance authorized by this Act shall provide that in the event that the lands cease to be used for public purposes all right, title, and interest therein shall immediately revert to and revest in the United States.

Mr. MORSE. Mr. President, I should like to have the attention of Senator from Louisiana [Mr. ELLENDER], who I know must go to a meeting of the Appropriations Committee. I shall be very brief.

Mr. President, S. 1521 authorizes and directs the Secretary of Agriculture to convey to the State of Tennessee all right, title, and interest of the Federal Government to a tract of land consisting of approximately 14.26 acres. This tract is part of 1,299.84 acres conveyed by the Government to the State of Tennessee by quitclaim deed in 1938 for State park and forest purposes only.

The conveyance is sought to enable the State highway department to construct a garage on the 14.26 acre tract. The remainder will be used for the purposes for which it was conveyed in 1938.

Mr. President, if the bill to authorize conveyance of the 1,299.84 acres were before us in the first instance in 1959, instead of 1938, I would raise a question of the applicability of the Morse formula, and in all likelihood the payment of 50 percent of fair appraised market value would be required. However, that is water over the dam, so to speak.

The question is now presented, should the Morse formula be applicable to a partial removal of the original restriction which limited the use of the land to State park and State forest purposes only?

Mr. President, I should like to ask the distinguished senior Senator from Louisiana, would the 14.26 acres, which S. 1521 seeks to remove from the original restriction, be used for purposes related to the maintenance of the entire tract for State park and State forest purposes? I ask this, because Senate Report No. 348 is not clear on that point.

I assume the garage is needed for the highway department in connection with a highway needed for State park and State forest purposes.

Mr. ELLENDER. That was my impression. We have no direct evidence on the point. The garage is a State garage, and it houses tractors and machinery necessary to maintain the roads in the park and the roads nearby.

Mr. MORSE. Mr. President, with that explanation, I have no objection. Let the RECORD show I have no objection, because the removal of this limitation is for the purpose of building a garage to maintain a road which is necessary to maintain the State park for which the grant was originally made.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of S. 1521.

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

EXPLANATION OF S. 1521

In 1938 the Government conveyed a tract of 1,299.4 acres in Cumberland County, Tenn., to the State of Tennessee for State park and State forest purposes. The State of Tennessee would now like to use 14.36 acres of this tract for the construction of a garage by the State highway department. The bill would permit the State to use this 14.36 acres for any public purpose. This is consonant with the original conveyance and would permit the State to make the best possible use of this land for the public benefit. The remainder of the tract would continue to be usable only for State park and State forest purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN PROPERTY TO THE MUNICIPALITY OF SAN JUAN, P.R.

The Senate proceeded to consider the bill (S. 822) to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, P.R., in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes.

Mr. MORSE. Mr. President, Calendar No. 374, S. 822, as I understand, authorizes the conveyance of certain property administered as a part of the San Juan National Historical Site to the municipality of San Juan, P.R., in exchange for its development by the municipality in a manner which will enhance the historic site.

The conveyance consists of one-third of an acre of federally owned land to be used as a city park. All costs are to be borne by the municipality. The land would revert to the United States should it not be used for the purpose contained in the bill.

Puerto Rico is, in effect, a part of the United States. Thus the case is akin to a transfer of land from one department of the Government to another.

As I say, Puerto Rico is virtually a part of the United States, judging from the fact that we still have some Federal interest and jurisdiction rights. In view of that, I think the transfer would be analogous to a transfer from one Federal department to another Federal department in our own country. Therefore, this would not violate the Morse formula; and on the basis of that understanding, I have no objection.

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

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to enhance the setting and to promote the public appreciation and enjoyment of the San Juan National Historic Site, the Secretary of the Interior is authorized, in his discretion, to convey to the municipality of San Juan, Puerto Rico, that certain tract of land described below: Provided, That in exchange therefor and in accordance with the requirements hereinafter set forth, the municipality shall develop and thereafter maintain such tract for public recreational purposes only, in accordance with such plans as may be approved by the Secretary which shall complement and enhance the national historic site.

Beginning at point 1 which is at the northwesterly corner of Tetuan and Santo Cristo Streets, thence south 85 degrees 48 minutes west, 56.6 feet to point 2; thence north 6 degrees 46 minutes west, 15.3 feet to point 3; thence north 80 degrees 35 minutes east, 4.0 feet to point 4; thence north 7 degrees 42 minutes west, 22.7 feet to point 5; thence south 81 degrees 07 minutes west, 57.5 feet to point 6; thence south 10 degrees 07 minutes east, 9.5 feet to point 7; thence south 78 degrees 26 minutes west, 149.2 feet to point 8; thence south 78 degrees 26 minutes west, 17.5 feet to a point located 5 feet east of the

retaining wall for access road to Conception Bastion; thence south 11 degrees 11 minutes east, 30 feet to a point 0.75 feet north of the north edge of the scarf wall; thence northeasterly in a straight line 260.13 feet, more or less, to a point on the Capilla del Cristo Building 2.0 feet north of the scarf wall; thence along the wall of said building north 4 degrees 06 minutes east, 7.95 feet to a corner of the said Capilla del Cristo Building; thence still along said building north 85 degrees 54 minutes east, 13.6 feet to the westerly line of Santo Cristo Street, produced; thence along the line of said street north 11 degrees 97 minutes west, 18.1 feet to the point or place of beginning, already described, comprising an area of 0.36 acres, more or less, and being a portion of the 0.54-acre tract accepted by the Department of the Interior by transfer from the Secretary of the Army on February 15, 1956.

Sec. 2. The deed effecting the conveyance and exchange authorized by the first section of this Act shall include but need not be limited to the following conditions:

(a) Prohibit use of the premises as an outdoor dining facility or for any other comparable purpose that, as may be determined by the Secretary of the Interior, would interfere with the use of the area as a public park;

(b) Reserve permanently to the United States, for the purpose of maintaining and preserving the old city wall, a right or rights of access to the said wall through the conveyed property;

(c) Reserve permanently to the United States all right, title, and interest in and to the vaults and tunnels connected to the old city wall and extending in part under the property to be conveyed, together with all rights of ingress and egress thereto; and

(d) Provide that in the event the municipality of San Juan, Puerto Rico, does not proceed with the development of the aforesaid area as a public park and promenade for the benefit and enjoyment of the people in a manner and period of time satisfactory to the Secretary of the Interior, or if the municipality ceases to use the said area for the purposes for which it was conveyed, as determined by the Secretary of the Interior, all or any portion thereof, not so utilized, in its then existing condition, shall, upon a declaration to that effect by the Secretary, revert to the United States.

Mr. MORSE. Mr. President, at this point I think it would be helpful, for future reference, if I had permission to have printed in the RECORD certain statements involving the application of the Morse formula, and I ask unanimous consent that I may do so.

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

EXPLANATION OF S. 53, CALENDAR No. 298

S. 53 authorizes the Secretary of the Interior to convey, without monetary consideration, approximately 2 acres of land to school district No. 24 in Yellowstone County, Mont. Except for a slight perfecting amendment, the bill is the same as S. 1742, which passed the Senate on August 20, 1957.

I am in receipt of a memorandum from Senator MURRAY, the principal sponsor of S. 53, which makes it clear that the purpose of the bill is the same as S. 1742 of the 85th Congress. That being the case, the primary benefits would be for the Indian children. This, together with our overall wardship responsibility to the Indians, makes the bill unobjectionable under the Morse formula. The Federal interest in the land is outweighed by the Federal obligation to provide a school for the Indian students.

S. 53 provides for the reservation of minerals and a right-of-way for ditches and canals.

EXPLANATION OF S. 1819, CALENDAR No. 323

Under the act of June 4, 1953, the Secretary of the Interior is authorized to convey surplus Indian school property, including land and improvements, to State or local governmental agencies for use for school or other public purposes. The authority of the Secretary is subject to the following limitations:

1. If the land is held in a trust status, the consent of the tribe or individual Indian concerned must be obtained.

2. Mineral interests must be reserved.

3. Provision must be made for use of the property by Indians on a nondiscriminatory basis.

4. Provision must be made for a reversion of title in the event of breach of conditions.

5. Conveyances are limited to 20 acres for any one school property.

S. 1819 would authorize the elimination of the 20-acre limitation, in order to allow the Secretary of the Interior to dispose of surplus property in larger quantity if he deems it desirable.

The law enacted in 1953 is one of general applicability and relates to our wardship responsibilities for our Indians. That being the case, the proposed amendment envisaged by S. 1819 does not violate the Morse formula.

The elimination of the 20-acre limitation will enable the Secretary to make conveyances in a number of cases in which such action is impossible under the present law. This will also constitute a savings to the Government in that the Government will be relieved of the responsibility for continued care and maintenance of the surplus school properties.

EXPLANATION OF S. 1818, CALENDAR No. 326

S. 1818 would authorize the donation of 48.89 acres of Federal land in my State to the Confederated Tribes of the Warm Springs Reservation. This land will be held in trust for the Indians.

The land was acquired in 1932 for the sum of \$1,000 for vocational training purposes in connection with the Indian school program. Because of a lack of interest among the Indians in attending the school, it has been declared surplus to the needs of the Federal Government. According to the committee report, there are no Government improvements on the land.

This bill merely transfers the land to trust status for the Indian tribe. Because of the Federal interest involved, and because of our wardship responsibilities toward the Indians, S. 1818 is not objectionable under the Morse formula.

EXPLANATION OF H.R. 5728, CALENDAR No. 328

The purposes of H.R. 5728 are to repeal the act of June 24, 1926, which reserved Memaloose Island in the Columbia River for use as an Indian cemetery; to convey the island to the Department of the Army for use in connection with the Dalles Dam project; and transfer an 8.5-acre tract of land to the Secretary of the Interior to be held in trust for the Yakima Indians as a burial ground.

The burial ground on Memaloose Island was granted to the Yakima Indians and Confederated Tribes by an act of Congress in 1926. With the construction of the Dalles Dam it became apparent that the Memaloose Island would be flooded. The Department of the Army with the approval of the Yakima Tribe relocated the remains to the 8.5-acre tract in the State of Washington. The tribal council has agreed to maintain the cemetery.

This transfer, involving in effect, an exchange of land to achieve the purpose of the

1926 burial site reservation, does not violate the Morse formula.

The PRESIDING OFFICER. The call of the measures on the calendar has been completed.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO SOPHRONIA SMILEY DELANEY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 339, S. 6.

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

The LEGISLATIVE CLERK. A bill (S. 6) to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

Mr. MORSE. Mr. President, I am seeking recognition on the motion.

The PRESIDING OFFICER. The Chair will advise the Senator that the motion is not debatable during the morning hour.

Mr. MORSE. Mr. President, is the motion a motion to consider the bill?

The PRESIDING OFFICER. Yes.

Mr. MORSE. I thought it was a motion relating to the merits of the bill.

The PRESIDING OFFICER. The motion is that the Senate proceed to consider the bill. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. ELLENDER. Mr. President, the Senate has already heard debate on the bill. In order that all Members will be well acquainted with the merits of the bill, I ask unanimous consent that a written explanation be printed in the RECORD at this point.

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

EXPLANATION OF S. 6

This bill would enable the Government to fulfill its promise to reconvey certain land to Mrs. Sophronia Smiley Delaney and her two sons. The Government acquired this land upon its oral promise to reconvey it after the national emergency which gave rise to the Government's need for the land was ended. That promise, being oral, is probably unenforceable. However, there is no doubt that it was made. The testimony before the subcommittee was clear and convincing and was supported by affidavits of many reputable citizens of Louisiana.

The bill provides that the full consideration agreed upon, \$2,500, shall be paid for the reconveyance. This is the same price paid by the Government. There was evidence that the value has risen to \$15,000. Mrs. Delaney and her family have tried assiduously to regain this property ever since the emergency ended. They should not be penalized by the increase in value during the period in which the Government delayed performance of its promise. The promise was to reconvey for \$2,500 and the bill provides that that promise shall be performed exactly as made.

The Government has removed a house and timber from the property, but the bill

makes no charge against the Government for this.

The property has been in the family for many years and contains the family cemetery.

Mr. MORSE. Mr. President, I have nothing more to say than the arguments I have already presented. In my judgment, we should stand by the recommendation of the Department of Agriculture in opposition to the bill. The recommendation denies the allegations that there were any commitments made at the time of transfer attaching any reservations whatsoever to the sale of this property.

Assuming that to be correct—and I take it for granted it is correct—then I see no reason why this special benefit should be given to these particular people, unless we are going to apply the same principle to all transfers, large and small.

If we do that, Mr. President, then in my judgment we are going to invite requests for a multitude of real property conveyances which I think would upset a whole body of real property laws.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? [Putting the question.]

Mr. MORSE. Mr. President, I ask for a division.

The PRESIDING OFFICER. A division is requested.

On a division the bill (S. 6) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture shall convey by quitclaim deed to Sophronia Smiley Delaney, Woodworth, Louisiana, and her sons Charles Franklin Delaney, Junior, Jimmie Scott Delaney, and Jack Richard Delaney, upon the payment by them to the United States of the sum of \$2,500, all right, title, and interest of the United States in and to the real property described in section 2, which land was acquired by the United States at a cost of \$2,500 for use in connection with Camp Claiborne, Louisiana, during World War II.

Sec. 2. The real property referred to in the first section of this Act is more particularly described as follows: South half of northeast quarter and north half of southeast quarter of section 8, township 2 north, range 2 west, Louisiana meridian, containing 160 acres, more or less, Rapides Parish, Louisiana.

STATUS OF APPROPRIATION BILLS

Mr. JOHNSON of Texas. Mr. President, I wish to inform the Senate of the plans of the Committee on Appropriations. It is expected that the committee will mark up the independent offices appropriation bill on June 16; the general Government matters appropriation bill on June 16; the Department of Commerce appropriation bill on June 15; the Departments of State and Justice appropriation bill on June 18; the Department

of Health, Education, and Welfare appropriation bill on June 18; and the civil functions appropriation bill on July 3. The legislative appropriation bill has been marked up.

Senators who may have an interest in any of these bills will, I am sure, wish to communicate with the chairman or the ranking minority member of the respective subcommittees prior to the marking up of the bills.

Speaking for myself, as chairman of the Departments of State and Justice appropriation bill, I shall be glad to have any Senators who have recommendations to make in any of the fields covered by that bill do so before the committee marks up the bill on June 18.

It is hoped that the Senate can take up these bills shortly after the reports and the hearings are made available to Senators, because it will be necessary for the bills to go to conference after they have passed the Senate. I want all Senators to have as much advance notice of the plans of the committee as they can, so that any representations they may wish to make to the committee can be received. Then we will make the reports and the hearings available, and perhaps ask unanimous consent, whenever we can obtain unanimous consent, to take up the bills as soon after they are reported as possible, in order to get them to conference.

It is the intention of the distinguished junior Senator from New Mexico [Mr. ANDERSON] to have the Senate take up the Atomic Energy Commission authorization bill, which was reported unanimously by the Joint Committee on Atomic Energy, as soon as the printed hearings are available. It is anticipated that the hearings will be available today, so perhaps the bill can be taken up on Monday.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that on June 11, 1959, the President had approved and signed the following acts:

S. 1197. An act to amend the Atomic Energy Act of 1954, as amended;

S. 1228. An act to amend Public Law 85-590 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; and

S. 1242. An act to authorize the use of the revolving loan fund for Indians to assist Klamath Indians during the period for terminating Federal supervision.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. PROXMIER in the chair) laid before the Senate a message from the President of the United States submitting the nomination of John S. Graham, of North Carolina, to be a member of the Atomic Energy Commission, which was referred to the Joint Committee on Atomic Energy.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until noon on Monday next.

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

NOTICE OF PROPOSAL TO OBTAIN UNANIMOUS CONSENT AGREEMENT ON NOMINATION OF LEWIS L. STRAUSS TO BE SECRETARY OF COMMERCE

Mr. JOHNSON of Texas. Mr. President, I announce that in the early part of next week, on Monday or Tuesday, I shall ask the Senator from New Mexico [Mr. ANDERSON], the distinguished minority leader, and other Senators for their recommendations in an attempt to obtain unanimous consent to set a time to vote on the nomination of Lewis L. Strauss to be Secretary of Commerce.

Mr. MANSFIELD obtained the floor.

Mr. CANNON. Mr. President, will the Senator from Montana yield to me.

Mr. MANSFIELD. I yield to the Senator from Nevada.

NOMINATION OF LEWIS L. STRAUSS TO BE SECRETARY OF COMMERCE

Mr. CANNON. Mr. President, I shall not attempt today to retrace the legislative or legal precedent for opposing the appointment of Adm. Lewis L. Strauss as Secretary of Commerce. This has been covered, Mr. President, by my colleagues who have preceded me in debate.

Nor will I attempt to retrace the facts concerning Mr. Strauss' role in the Dixon-Yates contract, his failure to cooperate with the Congress, and other subjects on which this honorable body has already received much testimony.

I am most anxious, however, to raise the most strenuous objection I can to Mr. Strauss' dismal record in the development of atomic power for peacetime purposes.

He was the principal architect and was the foremost spokesman when the development of atomic electric power was entrusted for all practical purposes to private utilities in the 1954 Atomic Energy Act. It should be evident to everyone in this country by now that we are years behind in the development of atomic electric energy and in the construction of atomic reactors for the production of commercial quantities of electrical power. This country today has only one installation producing atomic power in any significant quantities, and that is produced at Shippingport, Pa., an installation which was started under the Truman administration and not under the terms of the 1954 act. But at the same time, such second-rate atomic powers as Great Britain, which has 175,000 kilowatts of capacity at the present time and plans for nearly 10 times that amount, and Soviet Russia, from what we know, have moved far ahead of us in this all-important field.

The simple truth, Mr. President, is that private industry is unable or un-

willing to take the risks which are involved in effective, widescale developments of this type. I wish this were not so.

I would argue further that the technology developed by the taxpayers at a cost of many, many billions of dollars should be put to work for the taxpayers, and this is not being done, nor will it ever be done in the foreseeable future so long as the policies of the Atomic Energy Commission which were authored by Mr. Strauss are followed. Should a man therefore be rewarded for so poor a record of service to the American taxpayer? I think not.

I want to reemphasize, Mr. President, that there have been all too many proofs that the development of atomic power cannot reach its full potential through privately owned electrical utilities. The record since the 1954 act was enacted supports that conclusion. As a member of the Cabinet and as one who would continue his role as an adviser to the executive branch, I believe Mr. Strauss would continue to exert an influence which would be contrary to the public interest on comparable subjects which would come within his jurisdiction.

The United States has lost many years of progress in its development of atomic powerplants because of these short-sighted policies which Mr. Strauss not only instituted, but persistently adhered to in the light of a record of failure. His entire record of administration in the field of atomic electric power has been proven a miserable, total, and utter failure at a time when this Nation, and particularly the Western States and my own State of Nevada, are developing a crying need for additional power to meet future growth.

In addition, I believe, Mr. President, that this Nation should show to the rest of the world that it is willing to give concrete evidence we are as much interested in the peaceful and beneficial uses of atomic power as we are in atomic defense.

The confirmation of Mr. Strauss to any Cabinet rank would be viewed with alarm by most residents of my State and by the West generally. His irrevocable dedication to private utilities, and not in a venal sense, clearly indicates a view which would retard the appropriate development of the natural resources of my State and the West.

His record of being less than candid in dealing with the Joint Committee on Atomic Energy of the Congress does not, in my judgment, aid his cause at all. And from my discussion with other Senators, many of whom have had committee experience with Mr. Strauss at the Atomic Energy Commission, I feel safe in saying that many of my colleagues share the views that I have expressed here.

I have primarily outlined here where I differ with Mr. Strauss on policy. Of itself the question of policy perhaps would not be sufficient to justify a vote against the confirmation of this man. However, it is but one reason why I could not, in good conscience, view the nomination of Mr. Strauss as a step consistent with the public interest. There are many reasons why Mr. Strauss

should not be confirmed, and most of them can be ascertained in reading the very revealing transcript that has been compiled by the committee.

It has been most surprising to me that the right of the Senate to reject a Presidential appointment has been challenged in some usually responsible quarters. Certainly, it should be apparent that when the Founding Fathers said that such appointments must be "with the advice and consent of the Senate," they did not mean that the Members of this body were to act as a rubber stamp for the executive department. And I feel that Mr. Strauss or any other man recommended to the Senate for confirmation should expect his public record to be a fitting subject for inquiry.

From reading the record, I obtained a proper perspective of Mr. Strauss' general competency, which is one of the key factors in his fitness for this most important appointment. Throughout that record it is apparent that he was evasive, at times deceitful, and demonstrated that he was not going to cooperate with the Congress. The record also is well stocked with illustrations that Mr. Strauss does not appreciate or understand the sensitiveness of conflict of interest involved in his appointment, and his general demeanor, in my opinion, leaves much to be desired concerning his qualification of character and reputation for truth.

Mr. President, I had intended to close my remarks at this point, but I cannot remain silent to the type of lobbying that has been rampant in connection with the confirmation of Mr. Strauss. I had expected that the facts would be presented in a reasonable and dispassionate manner. Instead, I have heard of the most severe and coarse pressures being applied on individual Senators. Speaking from my own personal knowledge, I myself have been lobbied by respected and eminent citizens in my State who normally would have no direct interest in this case. But my inquiries have led me to believe that pressures have been placed on these men from the executive branch. I would not disclose the names of these men because I am sure that it would needlessly embarrass them, and because they are honorable men who did only what they were compelled to do because of outside interference emanating from the executive department.

I wonder how many of my colleagues in this Chamber have experienced the same sort of pressure. I wonder how many of us here have been given direct or indirect ultimatums that they must vote for Mr. Strauss. If my suspicions are correct, I believe that it would not be amiss to have an investigation of the lobbying tactics used here—perhaps to discover why the confirmation of Mr. Strauss is so important to certain special interests.

It should be apparent by now that the Congress cannot expect to conduct normal and legitimate business with Mr. Strauss if he were to be Secretary of Commerce, and his whole appointment has served to create enmity, suspicion, controversy, and disunity throughout all of the divisions of Government with

which he has come in contact. The question of whether he actually will, in the future, serve the American people or the limited interests and narrow viewpoints that he has served in the past is equaled by the obvious fact that his usefulness has been compromised, and the confidence of Congress has been shattered.

Mr. President, I urge the Members of this body to judge the record of Mr. Strauss, which I believe to be evidence of his lack of consciousness of public interest, and to refuse to confirm his appointment as Secretary of Commerce.

Mr. MANSFIELD. Mr. President, I yield 10 minutes to the Senator from Minnesota, with the proviso that I do not lose my right to the floor.

The PRESIDING OFFICER (Mr. Young of Ohio in the chair). Without objection, the Senator from Minnesota is recognized for 10 minutes.

THE BERKNER REPORT

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I issued this morning on the State Department's release of the Berkner report on seismic improvements affecting a test ban control system.

I am pleased that at long last the State Department has made available to the American people, particularly to our media of communications, this very vital report.

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

STATEMENT OF SENATOR HUMPHREY ON STATE DEPARTMENT RELEASE OF BERKNER REPORT ON SEISMIC IMPROVEMENTS AFFECTING TEST BAN CONTROL SYSTEM

I am pleased that the Department of State has now released the conclusions and recommendations of the Berkner report regarding the possibilities of improving the detection and identification of underground nuclear explosions. The report contains much evidence both in experimental data and in theory of ways to improve our knowledge of the earth and earth movements, and hence to increase the capabilities of a detection and control system for the cessation of nuclear weapons tests.

Although the report is reassuring in many ways it is also shocking because it shows a lag in research in an area vital to our national security. According to the report, in some aspects of seismology the Soviets "enjoy a position superior in many respects to our own." In one field alone the Soviet budget for research has been estimated to be about \$1 million compared to \$100,000 for the United States.

Improvements will not be made overnight even with a vigorous research program; still, many fruitful courses to pursue have been uncovered in less than 1 year. Improvements the report mentions specifically include the analysis of surface waves to distinguish between earthquakes and nuclear explosions, increasing the number of seismometers at control posts, adding unmanned seismometers particularly in seismic areas, and placing seismometers deep in the earth to blot out surface noise. The Government should undertake immediately an intensified research program along the lines recommended by the Berkner Panel.

I was particularly pleased to note the recommendation that an effort be made to improve the instrumentation at existing seismograph stations throughout the world. If

100 to 200 of the existing stations were equipped with more sensitive instruments, as called for in the Berkner report, in addition to the 180 new stations called for in the Geneva Conference of Experts, this undoubtedly ought to result in an increased capability in the identification of earth phenomena equivalent to nuclear explosions of low yields.

It is important that the public be aware of aspects of the Berkner report that indicate possible increased difficulties in the detection of nuclear explosions. The report suggests a very plausible theory whereby the seismic signals from a nuclear explosion may be drastically reduced. The project for reducing the seismic signals, and thereby increasing detection problems, however, presents considerable practical difficulties in its implementation. Thus, until the theory is tested, it appears impossible to say whether a determined effort to violate a test ban secretly would be successful and worth the risk. I believe, nevertheless, that it is necessary for the public to be aware that in the midst of the many encouraging conclusions of the Berkner report there exists a statement of a theory on the possibility of concealing an underground test.

My own general conclusion as a result of a careful reading of the Berkner report and as a result of consultations with experts in the field is that the Geneva negotiations for the discontinuance of nuclear weapons tests should definitely proceed. I believe that the report indicates that the establishment of an effective control system, provided it contains the right of on-site inspection of suspicious events, is possible. The representatives of the three nuclear powers should continue their negotiations. I am hopeful that the Soviet representative will see the necessity of improving the control system along the lines recommended by the Berkner Panel. I remain convinced that if the three nuclear powers have the will to resolve their differences a treaty embodying a trustworthy control system can be realized.

MEDICAL CLINIC CARE

Mr. HUMPHREY. Mr. President, I call to the attention of my colleagues an article which appeared in the Wall Street Journal of June 11 entitled "AMA About-Face—Doctor's Group OK's Prepaid Clinic Care; Move May Spur Growth."

At their annual convention voting delegates of AMA approved a policy change to permit AMA to seek means of cooperation and closer liaison with a form of health insurance known as closed panel plans. These are plans under which a subscriber receives medical care from panels or groups of doctors, often organized in clinics.

This vote marked a significant milestone and turning point for AMA because this policy switch will foster increased participation in low cost health insurance programs. According to the article, this vote "softened the AMA's traditional opposition by changing the definition of 'free choice.' Henceforth this will mean not only the patient's right to pick any doctor he wants to care for him but the right also to sign up with a group of doctors enrolled in one of the plans, if he wishes."

Mr. President, this change in the attitude of AMA is commendable because one of our greatest challenges at present is to provide adequate medical facilities for those who need it. I have sought to

meet this challenge in a community health facilities bill (S. 2009) which I introduced recently and which would provide long-term, low interest Federal loans to help equip voluntary nonprofit associations which offer prepaid health service programs.

The purpose of my bill is to encourage people to create for themselves and their communities such health service facilities as will help to make available to them the benefits of modern medical science.

Mr. President, I ask unanimous consent to have inserted in the RECORD following my remarks the article which appeared in the Wall Street Journal.

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

AMA ABOUT-FACE—DOCTORS' GROUP OK'S PREPAID CLINIC CARE; MOVE MAY SPUR GROWTH—VOTE LIFTS BARRIER TO MORE "CLOSED PANEL" INSURANCE BY UNIONS, COMPANIES—HOW KAISER, HIP PLANS WORK
(By Jerry E. Bishop and John Wilford)

ATLANTIC CITY, N.J.—A truce is being declared in one of the medical profession's bitterest controversies—over what constitutes "free choice" of a doctor by a patient. The result may well affect the way thousands of Americans will receive their medical care in the future.

Late yesterday afternoon, voting delegates of the American Medical Association's annual convention here approved a policy change to permit the powerful national association for the first time to seek means of cooperation and closer liaison with a form of health insurance known as closed panel plans. These are plans under which a subscriber receives medical care from panels or groups of doctors, often organized in clinics. The plans frequently are administered by unions, industrial employers, or other parties not members of the medical profession themselves.

The decision at Atlantic City removes some important obstacles to the plans' expansion throughout the country. For example, some officials of existing plans believe that more doctors may be willing to join closed panel setups now that the stigma of AMA opposition has been at least partially removed. It may also result in less hesitation by corporations, labor unions, and others who finance health insurance to provide coverage for their employees and members through such organizations. This may result in inroads into Blue Shield's business—and could cause Blue Shield to expand its benefits to compete more effectively with the other plans.

The AMA vote which came after months of pre-convention maneuvering on the part of State medical societies, was labeled by some physicians as the "AMA's most important socio-economic action in years." Up to now, the AMA has adamantly opposed the closed panel plans because of the plans' insistence that their insured members use only certain doctors and certain hospitals. This, it was maintained, is a denial of the principle of free choice of physicians, a long-established cornerstone of AMA philosophy.

CONTRACT WITH BLUE SHIELD

Blue Shield plans, sponsored by the local medical societies that make up the American Medical Association, in contrast allow an insured patient to select any doctor he chooses to treat him. Blue Shield then reimburses the patient in full or in part for the doctor's bill, providing the treatment is a type covered by the insurance contract.

Yesterday's action softened the AMA's traditional opposition by changing the defini-

tion of "free choice." Henceforth this will mean not only the patient's right to pick any doctor he wants to care for him but the right also to sign up with a group of doctors enrolled in one of the plans, if he wishes.

The AMA's formal policy switch, though it is likely to lead to the spread of panel plans, may not cause an immediate rush to set up new group clinics and insurance programs in all areas. The staunchest foes of such plans—the State medical societies of New York and Colorado—still are violently opposed.

Opponents of the plans say they have some definite drawbacks. The closed panel doctor, usually on a salaried basis, is assured of his income no matter what quality or care he dispenses, it is argued. The "solo practitioner," on the other hand, must give his patients his best to insure that they'll come back. Critics also contend that the plans encourage overuse of doctors' facilities by some members for trivial ills, which may lower the quality of care received by the others. Another key objection is to the administration of the plans by nonmedical people, who, doctors say, might not have the same professional standards as a group of M.D. administrators.

Backers of the plan, on the other hand, almost unanimously single out low costs as their outstanding advantage. The sharing of fluoroscopes, X-ray equipment and other facilities by the many doctors in a group reduces their overhead and permits lower charges to patients, say group plan administrators. The encouragement often given to plan members to visit the doctor at the first sign of illness, far from adding to total costs, actually reduces it by forestalling costly hospital visits later through preventive medicine, say the plan advocates.

Already there are some 150 prepaid group practice plans in operation, covering about 5.5 million persons. While this is only a fraction of the 123 million persons with some form of voluntary health insurance, it represents almost twice as many persons as were covered by closed panel setups in the mid-1940's.

These plans are the 1-million-member United Mine Workers' welfare and retirement fund, the Kaiser Foundation health plan on the west coast, the Health Insurance Plan of Greater New York, and the company-sponsored Consolidated Edison Employees Mutual Aid Association, Inc., set up by the big New York electric utility.

REUTHER'S PLAN

One new plan known as the Community Health Association is being set up in Detroit. Its principal backers: Walter Reuther's United Auto Workers. The plan so far has not gone into operation. Doctors here reason that it is waiting until the next time Mr. Reuther sits down at the bargaining table with the automakers when, they believe, he'll ask the companies to drop their Blue Shield coverage of the autoworkers and provide a fuller range of coverage under the Community Health Association.

The 1-million-member United Steelworkers Union now is negotiating new wage and fringe benefit contracts, including additional health insurance coverage, and is known to have made an exhaustive study of the prepaid group practice plans such as the Kaiser setup and New York's H.I.P. Whether they'll propose that the steel companies set up such plans for the union is not yet known. However, at present the steelworkers are covered by a Blue Shield type of health insurance.

Actually these plans merely combine two long-established features of medical care. One, of course, is paying for care on the insurance principle. The other is group practice, where several doctors, usually each with a separate specialty, band together in a clinic to offer a full range of medical services under one roof. The Mayo Clinic at

Rochester, Minn., is an example of group practice without the insurance feature.

THE KAISER PLAN

One of the most extensive of these plans, and one often held up as an example of a prepaid group practice system at its fullest, is the Kaiser Foundation Health Plan, headquartered in Oakland, Calif. It originally was set up by industrialist Henry J. Kaiser in 1943 for his shipyard workers but in 1945 was opened to the public. The plan operates 40 clinics and 11 hospitals on the west coast and employs some 500 physicians. Its membership has jumped above the 570,000 mark from only 10,000 in 1945. Under the Kaiser setup, members, either alone or jointly with their employer, pay a premium to the plan ranging from \$5.90 a month for a bachelor to \$13.60 a month for a large family. In return, the member receives his entire medical care from Kaiser clinics and hospitals. The only additional charge is \$1 per office visit.

Kaiser includes costs of treatment for such problems as alcoholism, tuberculosis, and dental difficulties. Unless the member is more than 30 miles from a Kaiser facility, however, the plan will pay nothing for any treatment received outside a Kaiser clinic or hospital.

For their part, the doctors are paid nothing by the patient. Instead, they are, in effect, on a salaried basis and paid directly by the plan.

Other plans differ in details. New York's big H.I.P., with more than 500,000 members, provides doctors' services through 32 groups or panels of physicians spread around the Greater New York area. H.I.P., however, does not operate hospitals, and hospitalization insurance for H.I.P. members is provided through the local Blue Cross plans.

The largest of the panel plans, the Mine Workers' fund, operates 10 hospitals of its own and pays for care of miners using other hospitals on the fund's approved list. Physicians' services are provided in much the same way, partly by the fund's own doctors and partly by doctors in private practice who are affiliated with the fund.

FINANCE METHODS VARY

The plans are financed in a variety of ways. H.I.P. and Kaiser are, in effect, consumer financed, in that their income comes from the users. The Mine Workers' fund, on the other hand, is financed through the payment of a royalty by the mining companies on each ton of coal mined. Consolidated Edison, for the most part, splits the cost with the employees. Some fraternal organizations such as the Independent Order of Foresters and the Moose in San Francisco have set up similar plans for their members.

Advocates of prepaid group practice plans claim that such setups can provide a fuller range of medical care at a lower price than other forms of insurance.

"After a long period of doubt, opposition and trial, all are now agreed that medical care can be given most efficiently through teams of family doctors, specialists, laboratory technicians, and other personnel working together," says Dr. David P. Barr, president and medical director of H.I.P.

Instead of trotting from one specialist to another, from doctor's office to X-ray lab in another part of town, an H.I.P. member can get the full range of care at a single clinic. A typical H.I.P. clinic has at least 17 physicians, five of which are general practitioners. The rest are specialists in such fields as ear, nose, and throat surgery, skin diseases, urology, psychiatry and neurology, and obstetrics. In addition, the clinic provides diagnostic tests, X-ray treatments, visiting nurse service, regular physical checkups, and immunization, such as smallpox vaccination.

Since the members have already paid for the use of the clinic there is no hesitation to come in for minor complaints, checkups,

and immunization shots, as there might be if they faced the prospect of paying a \$5 office call fee for each visit, say H.I.P. officials. This has led to improved preventive medicine among H.I.P. members, they claim. One survey indicates that H.I.P. participants require 20 percent less hospitalization than persons belonging to Blue Shield.

Another argument of panel plan proponents is that groups of doctors can provide care at a lower cost. For example, the 17 doctors in a single group might have need of only one fluoroscope, while 17 doctors in so-called solo practice would need 17 fluoroscopes. Similarly savings can be made in overhead and other operating expenses.

A QUESTION OF QUALITY

Opponents of the plans say the fact they are administered by nonmedical people, as well as the salaried status of participating doctors, poses serious threats to the quality of care. Although the plans are nonprofit, the administrators must at least keep them on a break-even basis. For this reason, they claim, there is a danger that the nonmedical administrators, for economic reasons instead of medical, might interfere in the treatment of members.

Officials of the plans, themselves, say there is another reason why many doctors oppose them.

"It is strictly a matter of economics," says Dr. Edwin Dally, medical vice president of H.I.P. Doctors in private practice, he claims, fear the competition from the group clinics when these organizations move into their areas.

This is not so, replies an official of the Nassau County, N.Y., Medical Society. "Economics has nothing to do with our opposition," he says. "It is strictly a matter of the quality of medical care."

The fight between the plans and the medical societies has been long and sometimes fierce. In Trinidad, Colo., for example, two doctors handling cases for the Mine Workers' Fund have brought legal suit against the local medical society alleging that the society has denied them membership because of their affiliation with the Mine Workers and that this denial has damaged their professional careers. Since 1943, at least four cases of this type have gone all the way to the Supreme Court.

The Mine Workers in 1957 marked several hundred doctors off their lists of physicians as ineligible to receive payments from the fund after the fund alleged there were instances of doctors charging the fund for unnecessary surgery, hospitalization, and other care. This brought a blast from AMA officials who contended the fund is subordinating the medical interests of the miner to the financial interests of the fund.

The AMA's effort to end such disputes stem from the survey the association made of the closed-panel plans. Launched in 1954, the survey was aimed at finding out what effect the plans are having on the quality of medical care and what relationships the doctors should have with these so-called third party setups. The survey came close to splitting the big medical organization wide open.

The survey committee said that in its study of the closed panel plans it has uniformly observed care of good quality being made available to patients who do not have free choice of physicians in the literal sense of the term. It went on to say that for many low-income groups covered by the plans the plans had resulted in improved quality care. The lack of free choice of doctors, it concluded, does not necessarily result in inferior care.

The vote of the AMA's 208 delegates yesterday approved the findings of this report. This approval, however, does not necessarily mean that all State medical societies, which are semiautonomous bodies, will go along. A

few delegations such as those from New York, Kentucky, and Colorado, where the plans and the medical societies have clashed, fought the approval vote down to the wire.

The AMA action is by no means an unqualified endorsement of the closed-panel plans. It still objects to nonmedical administration of the plans, for example. Doctors here interpret the AMA's action as official recognition that the plans do exist and apparently are here to stay. But instead of fighting the plans on general principles such as free choice, doctors now should seek to work with them and try to change them, if necessary, with peaceful methods.

WORLD REFUGEE YEAR

Mr. HUMPHREY. Mr. President, on June 1 the British launched their World Refugee Year in the historic Mansion House, London, with Prime Minister Harold Macmillan declaring, "We must respond to this splendid idea."

In our own country we are planning to launch World Refugee Year on July 1. On May 19 President Eisenhower designated the 12 months beginning July 1 as World Refugee Year in the United States.

In an article in the June 2 issue of the Christian Science Monitor entitled "British Help Launch World Refugee Year," Mr. John Allan May presents a very excellent account of how World Refugee Year got under way in our sister country. I would like to quote one paragraph from this article which I recommend to my colleagues:

It may not be possible to solve in so few months all the problems of all the refugees, the millions from Communist China, the tens of thousands from Tibet, the many Koreans, the innumerable Arabs, the Hungarians, and all the others, yet the intention is to find the answer to the major part of the problem in the next 12 months and to prove the whole problem can be beaten.

I sincerely hope that this will be the attitude taken by the American people during World Refugee Year. The plight of the refugees constitutes a formidable challenge to Americans and to the entire free world, and this challenge, this blot on our conscience, must be met with forthrightness and with vigor.

This challenge is very dramatically presented by Mr. William Henry Chamberlin in an article entitled "Uprooted Lives" in the June 5 issue of the Wall Street Journal.

Mr. President, I ask unanimous consent that the article by Mr. Chamberlin and the article by Mr. May in the Christian Science Monitor be printed at this point in the RECORD.

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

[From the Wall Street Journal,
June 5, 1959]

UPROOTED LIVES—THOUSANDS OF STILL-HOMELESS WARTIME DISPLACED PERSONS HOPE "REFUGEE YEAR" WILL MEAN WANDERING'S END

(By William Henry Chamberlin)

Besides destroying an unprecedented number of human lives, World War II left a tragic legacy in tens of millions of people who were uprooted from their homes and forced to seek refuge in foreign countries.

No one who has traveled in Europe as an inquiring reporter since the end of the war could have failed to meet such exiles. Some were statesmen and prominent political leaders, more were simple, obscure men and women who found themselves on the wrong side of the political fence for national or class reasons.

It is such meetings, many of them quite casual and accidental, that put human flesh and blood on recitals of facts and statistics. One of this writer's most interesting conversations during a trip in Europe shortly after the end of the war was in London with Tomasz Arciszewski, a white-bearded, elderly, dignified man who had escaped from Poland and became the last Prime Minister of the Polish government-in-exile. An old Socialist himself, but a passionate Polish patriot, Arciszewski knew Lenin and other Soviet leaders from international conferences before the World War I.

A WARNING

"Remember one thing above all," were his concluding words. "As long as one free country is left, the men in the Kremlin will never feel safe. They will call it imperialist and warmongering and seek by every means to subvert it."

On a more recent visit to London, the waitress in a modest little restaurant which is a meeting place for Polish refugees had her personal story of tragedy. A native of a town in eastern Poland, she and her young child had been deported to the Soviet Union in 1940. The child died for lack of nourishment; the mother, released after Hitler's invasion of Russia, made her way to England—an experience which she shared with many of her countrymen.

As a result of the war and the Nazi and Communist occupations several hundred thousand Poles, mostly above average in education, are now scattered in foreign lands, the majority in Great Britain, France, the United States and Canada. Few have been inclined to return to Poland, except as temporary visitors.

Russia, from which there was a big wave of emigration at the time of the Bolshevik revolution and the civil war, also supplied a considerable number of the refugees after World War II. The postwar relief organization, UNRRA, was supporting 800,000 displaced persons, or DP's, in 1946; it was generally estimated at that time that there were at least as many more, mostly Soviet citizens, hiding out in Europe for fear of being forcibly repatriated.

The old Bavarian city of Munich became known as the DP capital. During two visits there the writer met an assorted group of Russian refugees, the older and generally more cultivated belonging to the first wave of migration, the younger refugees fleeing from Stalin's tyranny, and also a special group of Ukrainians. Most of these Ukrainians were staunch separatists, who believed that their country should be given an independent existence.

In a suburb of Stuttgart, in southwest Germany, there was a group of Germans who, like their forefathers, had formerly lived in Yugoslavia. They were living in huts under rather primitive conditions, but felt they were luckier than others who suffered the vengeance of Tito's partisans. They were all working hard, their children going to local schools, where there was no language difficulty. It was this group that conveyed the impression that the influx of dispossessed, uprooted refugees from the eastern provinces of Germany, now occupied by Poland, from the Sudetenland area of Czechoslovakia, and more recently from the German Democratic Republic, while a very great tragedy for many of the individuals affected, was actually an asset for a West Germany that could absorb every pair of working hands.

A fellow passenger on a German railway train who spoke German fluently, but with

a marked foreign accent, furnished another sidelight on the refugee problem. He was a nationalist Croat, who had fought in the German Army against the Soviet Union in the war. After the war he was held by the Americans, who debated whether he should be sent back to Yugoslavia, where a firing squad or a concentration camp would have awaited him. Luckily for the Croat, Tito about that time shot down an American plane and the idea of sending back refugees to Tito's Yugoslavia lost favor. Now he was a naturalized German citizen, working as a forester in Bavaria. The number of uprooted Germans and people of German nationality is in the neighborhood of 12 million.

The latest big wave of refugees was from Hungary, after the unsuccessful uprising of 1956. There is still a steady stream of fugitives from the Soviet Zone to West Germany and a sizable trickle from Yugoslavia and Poland. Most of these are not individuals marked for political liquidation, but rather ordinary citizens who feel that pastures would be greener anywhere except in their Communist-ruled homelands.

STRIFE IN ASIA

Asia, like Europe, has its share of uprooted humanity. Some 600,000 Palestinian Arabs fled or were driven from their homes during the fighting which accompanied the establishment of the State of Israel. They have increased to over 900,000 in refugee camps and settlements in Jordan, the Gaza Strip, and other Arab territories. At least a million Chinese have fled from Red rule to overcrowded Hong Kong; a smaller number has sought asylum in Formosa. There has been a big migratory wave from Communist-ruled North Korea and North Vietnam to the southern parts of these countries, which are under non-Communist rule. It is not yet known how many Tibetans may follow the Dalai Lama and escape over high mountain passes into India.

A year beginning this month has been designated as Refugee Year. The Communist-ruled countries which are mainly responsible for creating this vast dislocation will not cooperate in alleviating the misery they have caused. The success of absorption varies from almost 100 percent in Germany to near zero in the case of the Palestinian Arabs.

Most of the refugees, for better or for worse, are now resettled. But those mostly innocent victims of wars and revolutions, who, because of special circumstances, have not found satisfactory resettlement, do have a special claim on the hearts and purses of the free peoples.

It would be especially desirable if Refugee Year could mark the closing of the last of the dreary camps in which tens of thousands of fugitives are housed in Germany and Austria.

[From the Christian Science Monitor, June 2, 1959]

BRITISH HELP LAUNCH WORLD REFUGEE YEAR (By John Allan May)

LONDON.—World Refugee Year was launched in the historic Mansion House, London, on "the glorious 1st of June," when individuals and business firms joined the British Government in opening a new subscription list for aid to refugees the world over.

But this is more than just a fund-raising effort. Fifty-eight other nations have voted in the United Nations to support the World Refugee Year. Forty of them already have committees preparing to follow Britain's lead.

The aim is, with one great concentrated and united effort, to wipe out this blot upon the record of the 20th century.

The idea of a World Refugee year for such a purpose was proposed by four young

Britains, led by Christopher Chataway, Olympic miler. The other three are Timothy Raison, Trevor Philpot, and Colin Jones.

VAST PROBLEMS WAIT

It may not be possible to solve in so few months all the problems of all the refugees, the millions from Communist China, the tens of thousands from Tibet, the many Koreans, the innumerable Arabs, the Hungarians, and all the others, yet the intention is to find the answer to the major part of the problem in the next 12 months and to prove the whole problem can be beaten.

According to the organizers, the last camp in Europe, at least, should be closed and all the 160,000 homeless and stateless people in West Europe should be resettled. By June 1961, it is hoped also to have found an answer to the difficulties of the 1 million Arab refugees who left Palestine in 1948 and to have brought effective relief and new hope to the millions crowding into Hong Kong from Communist China.

Britain's immediate individual target for subscriptions is £2 million (\$5,600,000).

At a banquet given by the Lord Mayor of London, Sir Harold Gillett, to start the fund and to unveil Dame Laura Knight's drawing of an outstretched human hand that is to be the symbol of the year, all political parties joined to underwrite this appeal.

SUPPORTED BY LABOR

Prime Minister Harold Macmillan was accompanied by Hugh Gaitskell, Labor leader, and Jo Grimond, leader of the Parliamentary Liberals.

Mr. Macmillan announced that the Government's original contribution of £100,000 would be doubled. Mr. Gaitskell declared that if the Government wanted parliamentary authority to improve further on this sum there would be no opposition from the Labor Party in the House of Commons.

Mr. Macmillan declared: "We cannot pass by on the other side of the road. These people have lost their homes, their livelihood, often their nationality; we cannot leave them indefinitely in their misery * * * we must respond to this splendid idea."

BRITISH ROLE DEFINED

He added that because Britain, a small country, already has accepted so many refugees, it cannot expect to absorb any greatly increased number itself. It will have to help in other ways.

One of the special ways Britain will help, the Prime Minister declared, is in finding homes for those among the refugees who are handicapped.

Mr. Gaitskell clearly hopes the Government will do even more as the year gathers momentum. "We have no reason to regret ever letting in refugees," he said. "They have enriched our lives, our arts, and our sciences over a long period. We must not, by our varying decisions on this matter of entry into this country, do or say anything which can be regarded as an excuse by other countries for not letting refugees in."

The Lord Mayor urged all present: "Take this opportunity to grasp that outstretched hand and lead it, with those it symbolizes, from the dark depths of despair into a world of sunshine and hope, happiness, and security."

PRIVATE GIFTS RECEIVED

Lady Elliot of Harwood, president of the British committee, reported that large private contributions are already rolling in. Five thousand pounds, for instance, from the Bank of England, £10,000 from Lord Heyworth, chairman of Unilever, and £1,000 from Viscount Astor.

A message was read from Mr. Dag Hammarskjöld, Secretary General of the U.N.: "I wish to pay tribute on this occasion to the initiative taken by the United Kingdom. This generous idea, launched only a few

months ago by three young Englishmen, becomes a reality today. * * * I am sure it will do much to rally support throughout the world. I wish you every success in your humanitarian endeavors."

World Refugee Year is under way.

INTERNATIONAL FOOD FOR PEACE ACT

Mr. HUMPHREY. Mr. President, in April I introduced in Congress my International Food for Peace Act. This act outlined a plan of making wiser use of our agricultural abundance in the establishment of world friendship, through the building of world health, hope, and happiness, for our foreign neighbors abroad.

In response to this presentation, letters of commendation and encouragement have come to me, especially bringing to my attention the numerous activities of service organizations concerned with this effort throughout the world.

These organizations which include the share-our-surplus program of the church world service, a Protestant movement, the Catholic bishop's relief effort, the American Friend's service committee and the Jewish organizations all exemplify the activity of voluntary agencies in the distribution of our surpluses to the needy people abroad.

In a manner of recognition to such institutions, Mr. President, I would like permission to have printed in the RECORD the text of a pamphlet I received from the National Council of Christian Churches, entitled "Share Our Surpluses."

This pamphlet, I feel, exemplifies the concern of Americans for all human beings and their eagerness to share their food fortune as a contribution toward the removal of privation and inequity from our midst and in our time.

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

THE SHARE-OUR-SURPLUS PROGRAM

Major Protestant and eastern Orthodox denominations work together through the share-our-surplus program to distribute foods from America's national abundance of surplus commodities to destitute and hungry men, women, and children overseas.

Free-will offerings of the American people—through churches, religious community observances, and other church-related activities—support this worldwide witness of Christian concern and Christian brotherhood.

In the share-our-surplus program, aid is given on the basis of need alone without question as to race or creed.

Areas scheduled to receive 1959-60 Church World Services surplus shipments include: Austria, Belgian Congo, Chile, Egypt, France, Germany, Ghana, Greece, Haiti, Hong Kong, India, Indonesia, Italy, Jamaica, Japan, Jordan, Korea, Lebanon, Liberia, Malaya, Nigeria, Okinawa, Pakistan, Poland, Taiwan, Yugoslavia.

The share-our-surplus program is made possible by the voluntary contributions of American churchgoers whose gifts pay for distribution costs, administration and transportation not provided by our Government or that of the recipient people. The Church World Services Christian rural overseas program (CROP) which collects foodstuffs, commodities and cash from agricultural communities, works hand in hand with the

American denominations in the nationwide share-our-surplus effort.

The share-our-surplus foods came from the U.S. store of surplus commodities accumulated by the U.S. Commodity Credit Corporation under the agricultural price support activities. They are given without cost to our churches and are distributed through the share-our-surplus program without question of race, color, or creed.

Hungry people in America are cared for first by donations from the U.S. surplus food stocks. Foods for oversea distribution—through share-our-surplus and similar programs of other agencies—are donated from surplus stocks only after the amounts necessary to relieve need in the United States have been provided.

Greatest food relief opportunity in the history of Christian service, the share-our-surplus program provides more than 300 pounds of life giving foods for hungry people abroad for every dollar given through our churches—more than 3 pounds of food for a penny.

In 1959-60, our churches, working together through Church World Services will distribute more than 300 million pounds of food from our national surplus free to nearly 20 million needy persons in more than 25 areas of distress abroad.

Food requirements in oversea lands are determined by Church World Services representatives in the National Christian Councils or other recognized interdenominational agencies. When these foods are received abroad, they are distributed—almost entirely through the services of volunteers—to the neediest among the hungry. Waste is virtually nonexistent, and costs are kept to a minimum. As a result of the efficiencies that a worldwide network of voluntary agencies gives to the share-our-surplus program, relief dollars are stretched to almost unbelievable lengths.

Through share-our-surplus, Americans help to sustain life, aid in rehabilitating the famished and ill, and give new hope to suffering people in Asia, Europe, Africa, Latin America and the Caribbean.

Distributed free to hungry people of many lands, these foods—plainly marked as a gift of the people of the United States—bear witness to Christian compassion and tangibly demonstrate the kinship of American church people with their unfortunate brethren overseas.

THE WORLD'S NEEDY PEOPLE

Countless numbers of people overseas—an estimated two-thirds of the world's population—are chronically undernourished, seldom knowing a day without a pang of hunger. To the most needy of these, our brethren, the churches minister through the share-our-surplus program, sharing with them the superabundance with which God has blessed America.

Refugees and the homeless

In India, where the average worker earns less in a year than the average American makes in a week, share-our-surplus feeds refugees from Pakistan and Tibet, together with the flood-stricken who each year are driven to shelter in caves and in improvised roadside huts. Over 1 million hungry refugees from Red China, crowding into Hong Kong, know the ministry of share-our-surplus foods, as do millions of victims of aggression in South Korea who still need help. Share-our-surplus shipments also help to sustain thousands of Arabs in the Middle East, homeless since the 1948 partition.

Disaster victims

Last year, drought paralyzed the island of Haiti and destroyed cattle in Jordan. Fire ravaged cities in Burma, while floods struck Pakistan, Korea, and Poland. Earthquakes rocked Chile, and typhoons devastated parts of Japan. In all these and other disasters, American churches rushed share-our-surplus food to feed the victims.

Widows, orphans, schoolchildren

In orphanages, schools and mothers' homes, share-our-surplus foods supplement low minimum diets and give underprivileged children the calories needed to build sound bodies.

Hospital patients and the aged

Tuberculosis, pellagra, rickets—scourges of malnutrition—are a few of the diseases alleviated by share-our-surplus shipments of milk, flour and cornmeal while old age for many "hard core" refugees is made more tolerable by foods in share-our-surplus shipments.

THE ECONOMIC CRISIS CONFRONTING THE POULTRY INDUSTRY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution passed by the Northeastern Association of State Departments of Agriculture on May 25, 1959, be inserted at this point in the RECORD.

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

RESOLUTION PASSED BY NORTHEASTERN ASSOCIATION OF STATE DEPARTMENTS OF AGRICULTURE, EASTON, MD., MAY 25, 1959

Whereas the poultry industry finds itself in its greatest economic crisis in over a quarter of a century; and

Whereas the poultry industry constitutes a major segment of northeastern agriculture; and

Whereas the impracticality of production controls has been demonstrated in other farm commodities: Now, therefore, be it

Resolved, That the Northeastern Association of State Departments of Agriculture, assembled in its annual spring meeting at Easton, Md., May 24, 25, and 26, 1959, go on record requesting the U.S. Department of Agriculture, through its Secretary, Ezra Taft Benson, to immediately inaugurate the following three-point program to alleviate this economic crisis:

1. A vastly stepped-up purchase program of dried eggs;
2. The immediate purchasing of laying fowl, including breeding hens, for school lunch and other programs;
3. The extension after June 30, 1959, of section 17 of the Bankhead-Jones Farm Tenant Act for the refinancing of Farmers Home Administration chattel and unsecured loans to poultry farmers; and be it further

Resolved, That copies of this resolution be forwarded to Secretary Benson and to the members of the Agriculture Committee of Congress.

DISARMAMENT AND PEACEFUL DEVELOPMENT

Mr. HUMPHREY. Mr. President, this year the Congress is being asked to appropriate some \$45 billions for national security programs. It is a tremendous amount, yet for most of us the principal question about this staggering sum is not whether it is necessary, but whether it is adequate. As long as the Soviet Union poses a threat to the free world and until we can achieve an effective agreement on the control and reduction of armaments, the foundation of peace will be, as it is today, the strength of the free world. In the present circumstances we must have the armed forces and the military equipment which will convince the Soviet Union that it has nothing to gain either from piecemeal nibbling or from a nuclear assault. Both peace and

freedom may well depend upon our determination to maintain our military strength, whatever the cost, as long as necessary.

Just as it is essential that we make this huge defense appropriation this year, it seems to me that it is also essential that we make clear to the peoples of the world our true feelings about this appropriation. The defensive nature of our armed services is apparent to us, but it is not always clear to others. A constant barrage of propaganda from the Soviet Union and Red China seeks to distort our motives and intentions and to convince peoples elsewhere in the world that we are the instigators of the arms race. The Soviets would like the peoples of the world to believe that we enjoy making these defense appropriations and that we are warmongers.

The truth is that we do not like to devote some 60 percent of our national budget to defense. We do not like to spend billions of dollars on weapons which will quickly become obsolescent, which we hope will never be used, and which, if they were used, would ultimately mean great destruction to us as well as to our enemy. We do not like the high taxes which expenditures of this magnitude require. We do not like any aspect of the arms race. The aims of our foreign policy are peace, freedom, and security.

These truths are so obvious to us that it is easy to forget that they may not be understood in other places. It is easy to forget that propaganda masters in the Soviet Union are working day and night to build a false image of the United States in the minds of millions. If we do not want them to succeed, we must take every opportunity to fight back with the truth, to challenge the Soviet Union with constructive proposals which show our devotion to peace, and to demonstrate that we have the interest of others at heart, as well as ourselves. If such proposals are accepted, the foundation of peace will be strengthened. If they are rejected the Soviet Union will be unmasked and its true face will be displayed.

It is with these considerations in mind that I wish to submit a concurrent special resolution today. The purpose of this resolution is again to assure the people of the world of our desire to end the arms race so that more resources can be devoted to constructive works of peace. It would make clear to the world that we appropriate these funds not because we like to do so, not because we want a huge Defense Establishment, not because we have nothing else to do with this money, but solely because the high levels of Soviet armed forces and the constant threat of Communist aggression requires that we do so. It contains our solemn pledge that as soon as the Soviet Union is willing to enter into a reasonable, safeguarded disarmament program, we will take part of the savings which accrue and apply them to the constructive international programs which this Nation already pursues—such as our programs of technical and economic assistance.

As we who appropriate these funds cannot help but know, the cost of mod-

ern weapons is fantastic. By comparison, the works of peace cost almost nothing. According to reports which have appeared in the press, it cost a billion dollars to develop the Minuteman intercontinental ballistic missile. The Aswan Dam, designed to add 2 million acres of cultivable land to Egypt will cost \$1.3 billion. The Titan and Atlas missiles have been estimated to cost \$10 million each with ground support. That is, once they are in production. One Titan and one Atlas then would pay the budget of the United Nations Children's Fund for more than a year. That is one missile, Mr. President. An atomic submarine capable of carrying 16 Polaris missiles has been estimated to cost \$100 million. One of these would buy thousands of new homes for families now living in crowded tenements or dilapidated shacks. The 8½ foot long Genie rocket is reported to cost about \$250,000—\$7,000 for the rocket and \$243,000 for the nuclear warhead. Just one of these would buy thousands of textbooks for people eager to learn to read and write or improve conditions in their own countries.

Again let me emphasize that in the absence of a safeguarded arms control agreement, we must have these weapons if we do not wish to place our country in grave danger. I am not in favor of unilateral disarmament. On the other hand we must not forget, nor allow the other peoples of the world to forget, that we hope the maintenance of a high level of armed forces is only a temporary necessity and that eventually we will have a far more satisfactory security system. Our goal is the achievement of an international arms control agreement which would allow us to devote the major portion of our national budget, not to defense, but to constructive, peaceful pursuits. If we could reduce our defense expenditures by as much as half we could increase our contributions to works of peace throughout the world, increase our efforts to improve public works, welfare and education in our country and still have funds left to permit the tax reduction we all would welcome.

PROPOSAL OF TWO PRESIDENTS

Mr. President, the concurrent resolution embodies the expressed hopes of leaders of both political parties and the aspirations of millions of people in this country.

Two Presidents of the United States have promised to use the savings from disarmament to fight poverty throughout the world.

President Truman said in a speech of October 24, 1950:

If real disarmament were achieved, the nations of the world, acting through the United Nations, could join in a greatly enlarged program of mutual aid. As the cost of maintaining armaments decreased, every nation could greatly increase its contributions to advancing human welfare. All of us could then pool even greater resources to support the United Nations in its war against want.

In this way, our armaments would be transformed into foods, medicine, tools for use in undeveloped areas, and into other aids for human advancement. The latest discoveries of science could be made available to men all over the globe. Thus we

could give real meaning to the old promise that swords shall be beaten into plowshares and that the nations shall not learn war any more.

Then man can turn his great inventiveness, his tremendous energies, and the resources with which he has been blessed to creative efforts. Then we shall be able to realize the kind of world which has been the vision of man for centuries.

This is the goal which we must keep before us—and the vision in which we must never lose faith.

President Eisenhower, in an address on April 16, 1953, pledged:

We are prepared to reaffirm, with the most concrete evidence, our readiness to help build a world in which all peoples can be productive and prosperous.

This Government is ready to ask its people to join with all nations in devoting a substantial percentage of the savings achieved by disarmament to a fund for world aid and reconstruction. The purposes of this great work would be to help other peoples to develop the undeveloped areas of the world; to stimulate profitable and fair world trade; to assist all peoples to know the blessings of productive freedom.

In a resolution passed on July 29, 1953, the Senate endorsed the disarmament principles spelled out by President Eisenhower—

To the end that a greater proportion of the world's productive capacity may be used for peaceful purposes and for the well-being of mankind.

In February 1950, the late beloved Senator from Connecticut, Senator Brien McMahon, a dear and beloved friend of mine, made a stirring speech in which he proposed that the major portion of our defense expenditures be used for work of peace. At that time our appropriations were only \$15 billion. Senator McMahon said:

Why not offer to take two-thirds of this sum, or \$10 billion, and instead of amassing sterile weapons, use it to foster peace throughout the world for a 5-year period? Why not offer to spread the annual \$10 billion over three programs: President Truman's point 4 proposal, development of atomic energy everywhere for peace, and general economic aid and help to all countries, including Russia? Such a global Marshall plan might combine with the marvelous power of peacetime atomic energy to generate universal material progress and a universal cooperative spirit. In exchange for our own contribution of \$10 billion annually, which we would save from the military budget, we would ask, first, general acceptance of an effective program for international control of atomic energy, and, second, an agreement by all countries, enforced through inspection, that two-thirds of their present spending upon armaments be devoted toward constructive ends.

Such a proposal, if advanced by our Government, might vividly bring home to all the world's population—in a manner far more successful than we have so far used—the profundity of our desire for peace.

The next year Senator McMahon introduced a resolution calling for the use of the savings from disarmament to be used for the development of underdeveloped countries. The fact that he was not a man who could be accused of being unaware of the necessity for military strength is dramatically illustrated by another resolution introduced simultaneously to the effect that this country was not spending enough on nuclear

weapons and that "the United States must go all out in atomic development and production."

Again the bipartisan support for this idea is apparent in a resolution introduced by another beloved former colleague, Senator Ralph Flanders, to the effect that this Government pledge, when the burden of armaments has been lifted, to devote part of the resources released to raise the living standards of people everywhere. Many of us, from both sides of the aisle, joined in the sponsorship of this resolution.

SUPPORT FOR PROPOSAL THROUGHOUT THE WORLD

Proposals that funds now used for armaments be used for peaceful purposes when an arms control agreement permits have not been confined to this country.

Throughout the world hope has been expressed that the economic lot of all peoples might be improved if funds could be released by disarmament. At the Geneva Conference of 1955 France put forth a proposal that states agree to a reduction in the amount of their military expenditures and that the financial resources thus made available should be allocated in whole or in part to international expenditure. The French proposal envisioned the use of military funds for peaceful purposes not only as a result of disarmament but as a method of disarmament. The following session of the United Nations General Assembly called upon the states concerned to study this proposal. In 1957 the General Assembly invited the states concerned "to consider the possibility of devoting, out of the funds made available as a result of disarmament, as and when sufficient progress is made, additional resources to the improvement of living conditions throughout the world and especially in the less developed countries."

The most recent proposal for a vast new war on world poverty was made by Premier Charles de Gaulle at a news conference on March 25 of this year. He stated:

We, who live between the Atlantic and the Urals, we who are Europe, disposing, with America, her daughter, of the principal sources and resources of ourselves, lodge ourselves, keep ourselves warm, we, who possess mines and factories in full activity, well cultivated countryside, railways where numerous trains run, roads choked with cars, ports filled with ships, airdromes peopled with aircraft, we, all of whose children learn to read, who build many universities and laboratories, who form armies of engineers and technicians, who can see, hear, read what is of a nature to satisfy the mind, we, who have enough doctors, hospitals, medications to ease suffering, to care for the sick, to assure the life of the greater part of the newly born, why do we not establish, all together, the fraternal organization which will lend its hand to the others?

Why should we not put together a percentage of our raw materials, our manufactured goods, our food products, some of our scientists, technologists, economists, some of our trucks, ships, aircraft, to vanquish misery, develop the resources and help the work of less developed peoples?

Let us do this—not that they should be the pawns of our policies, but to improve the chances to life and peace.

It seems to me that this should be a primary subject for the agenda of possible East-West Conferences. In cases of agreement, it would evidently be necessary to draw up a common plan of organization and implementation.

Premier de Gaulle also said that if there were a summit conference later this year, he was ready to speak about this important proposal to the other heads of government. I heartily commend the French President for this courageous and statesmanlike proposal. Our Government should be prepared to join with him in promoting it. And we should be prepared to work for it at the United Nations.

Why do I give my attention to an oft-made proposal which has never been acted upon? The answer is simple. Every year we appropriate billions of dollars for arms. Every year we ought also to clarify our national goals. The statements by President Truman and President Eisenhower, and the earlier Senate resolutions, are now history. Let us make it clear to the world that their offers still stand. Let us accept the challenge of Premier de Gaulle.

NUCLEAR TEST BAN OFFERS STARTING PLACE

The achievement of a disarmament agreement which would be comprehensive enough to permit a substantial reduction in our defense expenditures is going to require many years of hard work. The free world must convince the Soviet Union that it has nothing to gain by the use or threat of military force. There are numerous complex political problems such as the division of Germany, Korea, Indochina, and China, which must be resolved. The international tensions which cause nations to arm themselves and are in turn increased by armaments must be reduced. There are knotty technical problems involved in controlling modern weapons which must be worked out. All of these take time.

We have reason to hope, however, that this year it may be possible to take the first step on the road to disarmament, a suspension of nuclear weapons tests with safeguards, adequate controls, and inspection. We do not yet know whether the Soviet Union will agree to the on-site inspection rights necessary for a total test ban, or whether it will agree to the President's proposal for a ban of atmospheric tests which requires less inspection. Nevertheless, negotiations for this purpose have been going on for 7 months and the door to agreement is still open.

If a first step toward disarmament can be achieved this year, we can use this first step to prove that our offer to use the savings from disarmament for works of peace throughout the world is sincere, and applies now, not in some never-never land of the future. We can do this by saying that, if a test ban is achieved, we are willing to use any savings for peaceful international purposes. Because of the cost of establishing an inspection system, any monetary saving may be slight. However, we can propose that the nuclear powers dismantle those nuclear weapons which would otherwise have been exploded in a test series in some remote location and contribute the

fissionable material in them to the International Atomic Energy Agency. This would speed atomic development in underdeveloped countries, for it would allow the International Agency to sell it to the underdeveloped countries at low prices which they could afford and use the proceeds for training scientists in these countries in nuclear technology. Moreover, it would be a promise of the many more good things which could be done if further steps toward disarmament were possible.

AID TO UNDERDEVELOPED AREAS ESSENTIAL NOW

Let me make it clear that the concurrent resolution is not intended to substitute for works of peace which we should carry on now. We are fortunate to be a rich nation. Our larders are overflowing. Many other nations are not so fortunate. They are hungry, ridden with disease, and lacking in the resources, educational facilities and technology which are necessary to improve their status. At the present time we can afford both to maintain the defenses necessary for our safety and to contribute some of our abundant production, some of our skilled technicians, some of our capital to countries which are now in a stage of economic development through which we have safely passed. If we fail to do this, we can be sure the Communists will fill the vacuum and do everything they can to direct the development of new nations into Communist channels.

No, we cannot defer our works of peace into the future. We must continue and increase our technical and economic assistance and other works of peace even if it should also become necessary to increase our expenditures for defense. However, we can make it clear that we would much rather use some of our financial resources now devoted to defense, for a vast new attack on the enemies of all mankind—hunger, poverty, and disease. We can pledge that if the Soviet Union will join in a realistic program of arms control which will enable nations to reduce their armaments, we are ready to devote a large portion of the resources thereby freed to the good of the world. We can challenge them to do their part in bringing peace and prosperity to the whole world.

Mr. President, I hope that the Members of the Senate will give the concurrent resolution their earnest and favorable consideration.

I ask unanimous consent that the concurrent resolution be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, under the rule, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 48) to promote peace through the reduction of armaments, submitted by Mr. HUMPHREY, was referred to the Committee on Foreign Relations, as follows:

Whereas the people of the United States of America and their Government wish to do everything within their power to bring about a world in which peace is secure and in which all people everywhere have adequate food, shelter, clothing, educational oppor-

tunities, medical facilities, and other material requirements for physical and spiritual life and growth; and

Whereas the preservation of peace and security at the present time depend upon the maintenance by the United States of the armaments necessary for defense against possible aggression by heavily armed countries and to deter such aggression; and

Whereas the United States has for 13 years worked for the achievement of a disarmament agreement, with adequate controls and inspection, which would avert the danger of a catastrophic nuclear war and would enable the nations of the world to reduce their burdens of armaments and armed forces without impairing their security; and

Whereas the achievement of such an agreement would result in a substantial savings of money and resources now used for weapons: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States reaffirm that upon the achievement of an agreement on the reduction of armaments, which it fervently desires, the United States is prepared to join with other signatories of the agreement to devote a substantial portion of any resultant savings to expand its works of peace throughout the world; and

That the participating governments should continue and expand the works of peace, such as economic and technical assistance to less developed countries; development of natural resources; international cooperation to combat hunger and disease; scientific, cultural, and educational exchange programs; development of atomic energy for peaceful purposes; and the construction of new schools, universities, hospitals, and other essential facilities; and

That copies of this resolution be transmitted to the President of the United States and the Secretary of State, and that the President make known the sense of this resolution to the heads of all member governments of the United Nations.

AWARD OF HONORARY DEGREE OF DOCTOR OF LAWS BY RIDER COLLEGE TO HON. CLIFFORD P. CASE, OF NEW JERSEY

Mr. KUCHEL. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield to the Senator from California.

Mr. KUCHEL. Mr. President, the distinguished senior Senator from New Jersey [Mr. CASE] was honored, on June 7, by Rider College at its commencement exercises in Trenton, N.J. On that occasion, our able friend was made an honorary doctor of laws and was presented with the degree and a citation by the school. The basis of award reads as follows:

BASIS OF AWARD, HONORARY DEGREE OF DOCTOR OF LAWS (LL.D.), HON. CLIFFORD P. CASE

A forward-looking statesman of scholarly background, he has contributed much to the basic welfare of the American people and particularly that of American youth.

His staunch advocacy of the principles of civil liberty and human dignity have endeared him to the hearts of the millions, while his consistent support of the cause of education has enhanced the future welfare of oncoming generations.

A distinguished alumnus of one of New Jersey's great institutions of learning, he has never failed to imbue his practical efforts with the idealism of the academic approach.

Rider College takes pride in honoring this buoyant, but realistic, apostle of the better life.

I am certain I speak for all my colleagues in the Senate when I say that we take pride in the recognition this great collegiate institution has accorded a distinguished U.S. Senator.

THE DEADLOCK AT GENEVA

Mr. MANSFIELD. Mr. President, after 4 weeks of negotiating in Geneva we have little to show for our efforts. If the usual procedure is followed, we can expect agitation to the effect that we are wasting our time and that our representatives ought to come home. For them to do so at this time, in my opinion, would be a mistake. It has taken 4 weeks to bring to a head the basic business of the Conference. That basic business is Berlin, even though the question of Berlin is related to other questions affecting Germany as a whole and central Europe. However, we must not lose sight of the fact that it was the Berlin crisis which brought the Geneva Conference into being, in the first place, and not the larger questions of German reunification or European security.

In the light of disturbing reports of impending failure at Geneva, I was happy to hear a report on the radio that the Vice President, in California, last night had urged that the Geneva Conference not be broken off. I endorse that position very emphatically.

I should like to recall that just 4 months ago I addressed the Senate on the German situation. In subsequent discussions on the floor other Members analyzed this situation in detail and discussed possibilities for meeting the problems which it posed. I recall, particularly, the observations of the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], the remarks of the Senator from Connecticut [Mr. DODD], the bold plan of the Senator from Indiana [Mr. CAPEHART], and the critical and constructive comments of the Senator from New York [Mr. JAVITS], the Senator from Kentucky [Mr. COOPER], the Senator from Minnesota [Mr. HUMPHREY], and other Senators.

When I spoke on the German situation last February, I was moved to do so by one principal consideration. We were committed at that time, as we are now, to stand fast in West Berlin. It seemed to me, however, that we were committed to that position in support of policies which, conceived more than a decade earlier under another administration, had become inadequate, if not obsolete, in the light of current conditions and the current needs of this Nation and other Western states. It seemed to me that those policies no longer held realistic hope of leading towards a stable peace and the greater security of freedom in Germany and Europe. They promised—these inadequate and obsolete policies—at best only a desperate and costly rearguard action to maintain a surface status quo which was becoming ever more separated from the underlying realities of the evolving situation in Germany, Europe, and the world. At worst, those policies promised a disastrous diplomatic retreat or a catastrophic war—limited or unlim-

ited—a war by accident or miscalculation.

These thoughts, Mr. President, were spoken freely in the Senate last February 12, and in four subsequent speeches. They were spoken with the intent of being constructive. They were spoken out of a desire to cooperate responsibly with the administration. They were spoken in the hope of encouraging a wide utilization of the most powerful device of freedom—the device of full and free discussion—in order to recast and to strengthen our policies to meet the impending crisis in Germany.

In that spirit, Mr. President, nine essentials were advanced for a positive Western policy on Germany. These proposals were not, for the most part, original, except in their restatement in the context of my remarks; nor were they set forth in a package, on an all-or-nothing basis. On the contrary, some of them were already implicit in our policies, and all of them were obviously subject to modification and elaboration. Nevertheless, they were set forth, as one Senator's views, as a possible way around the dangerous impasse towards which the world appeared to be headed in Germany.

Let me recall in summary form, at this point, these nine suggested essentials of policy, as they were stated and developed in subsequent speeches.

First. Stand fast in Berlin, not as a slogan, not as an end in itself, but as the basis for a Western initiative for peace in Europe.

Second. Call upon German leaders of the East Berlin and West Berlin communities to begin serious negotiations for unifying the public services and municipal government of that city.

Third. Enlist the conciliatory services of the Secretary General of the United Nations in the effort to bring about the interim unification and neutralization, not only of West Berlin, but of all Berlin; guarantee by United Nations or other international means the free use of the routes of access to the entire city until such time as it became once again the capital of a unified Germany.

Fourth. If this or a similar approach to interim unification and neutralization of all Berlin is not obtained, then continue the Western presence in West Berlin, regardless of whether the Russians chose to leave the other sector of the city.

Fifth. If forced to maintain the Western presence in West Berlin in such circumstances, however, consider seriously withdrawing the garrisons of French, British, and American forces from the city and replacing them with West Germans supported by NATO guarantees.

Sixth. Call upon the Germans in authority in West Germany and East Germany to talk, to talk a great deal, on the whole range of problems involved in harmonizing the political, economic, and military systems of the two zones as an essential preliminary step to the unification of Germany.

Seventh. Call upon the East German Communists and the Russians to permit the exercise, without the threat of terror, of basic political freedoms in the

Eastern Zone, as a preliminary to reunification.

Eighth. Seek agreements between the Soviet Union and the Western allies to guarantee for a period of years the kind of unified Germany which might emerge from German discussions, and see to it that a reunited Germany is neither subjected to military pressures by its neighbors nor become a source of aggressive military pressure on them.

Ninth. To that end, consider agreements for the control and limitation of armaments in Germany and central Europe along the lines of the Eden plan, the Rapacki plan, and similar plans, predicating them on the reaching of satisfactory agreements, at the Geneva Conferences, on the prevention of surprise attacks and the suspension of nuclear testing.

Mr. President, when these proposals were advanced initially, there was a great deal of comment on them, both at home and abroad. Some of it was critical, and some of the criticism was little short of an expression of shocked disbelief.

Yet the proposals were not too far removed from the changes which Mr. Dulles was seeking to bring about in Western policy during his last trip abroad, shortly before he was stricken. Since that time, Mr. President, we have, in fact, witnessed a major evolution of United States and Western policy with respect to Germany in the direction of these proposals.

This Nation went into the present Geneva Conference with a general approach which represented a sharp modification of the policies to which we had clung for years. The new approach has made it evident that while we would stand fast in Berlin, we would do so, not as an end in itself, but as the basis for moving toward a reasonable settlement of basic Berlin, German, and European problems. Beyond standing fast, we have suggested at Geneva a specific plan for bringing about negotiations for the reunification of the public services and municipal government of that city. We have called for a phased reunification of all Germany, based upon extensive contact and extensive talk on the part of the German authorities of the East and West, prior to free, all-German elections. We have sought the restoration of the right of open political activity for all Germans, free of terror and legal reprisals, in both zones. We have expressed our willingness to seek agreements between the Soviet Union and the Western nations to guarantee a unified Germany and its neighbors against aggression.

We have noted our willingness to consider limiting the level of armaments in both parts of Germany and a reduction in foreign forces in that country—a position which seems to me to encompass the basic philosophy of the Eden and Rapacki plans.

There is really only one sharp difference, Mr. President, between the proposals which I suggested last February and the proposals which are listed in what has been termed the Western package at Geneva. If anyone is interested

in what the Western package was, in detail, I refer him to the New York Times of Friday, May 15, 1959, which will back up what I have stated just now. We did not see fit to deal initially with Berlin as the most pressing of the German problems; and I am sure Mr. Herter and his associates have had good reasons for proceeding as they have until now. Nor have we—Mr. Hammarskjöld apparently concurring—seen fit to call upon the conciliatory services of the United Nations Secretary General to bring about an interim neutralization of all Berlin under international auspices.

One other of the nine essentials of policy listed last February is not embraced in present policy; that is, the possible substitution of West Germans for the British, French, and American garrison in West Berlin. That proposal, however, was obviously not associated with a peace settlement. On the contrary, it was intended as an alternative if the efforts to negotiate a settlement in good faith were to fail.

Mr. President, I have taken the time of the Senate to review in juxtaposition discussions and events that occurred in the past, and have since taken place at Geneva. I have not undertaken this comparison out of any desire to vindicate a position. I have not had occasion to alter that position significantly in the past, and I see no need to justify it now. It was presented, in February, as one Senator's views. It is still one Senator's views.

No, Mr. President, that has not been my purpose. My purpose today, as it was last February, is to contribute constructively to the policies which this administration conducts on behalf of all of us, on behalf of all the people of this Nation—the policies upon which the peace and the well-being of the United States so greatly depend.

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

Mr. MANSFIELD. I am glad to yield.

Mr. COOPER. I remember very well when the distinguished Senator from Montana made his first speech on the Berlin question. I think he will agree with me that it was criticized in some quarters at that time. I am sure the criticism by some persons was based on a so-called stand-firm position on Berlin. At the time I did not interpret the statement as those persons did, without attempting to pass judgment on the merit of all the proposals the Senator made. It was my view that the distinguished Senator from Montana at that time was emphasizing the necessity of keeping open all avenues of possible negotiation between the United States and its allies with the Soviet Union, looking toward an ultimate solution some day of this most difficult problem between our countries and the Soviet Union.

I am glad that since that time, while our country has never varied from the position that these problems must not be settled under threat of force, nevertheless the United States and its allies have advanced negotiable positions and positions which look hopefully towards solution.

I believe that has been the purpose of the distinguished Senator from Montana

at all times. I am glad that again he raises this important question, and still insists, I am sure, that all avenues should be kept open.

Mr. MANSFIELD. I thank the distinguished Senator from Kentucky for his kind words. He is always understanding, always able, always considerate. I recall the debate last February in which the Senator from Kentucky participated. I recall also that I learned a great deal because of the intense interest displayed by the Senator over a period of years in the question of Germany, and when he had the honor to represent our country in the United Nations in 1951. So I look upon him as a real authority in this field. I know he understood the context in which I made my remarks, and I assure him that I understood his understanding of them.

Specifically, Mr. President, I wish today to call attention to the fact that when I initially advanced the nine proposals they were not criticized by a man who by the nature of his position has an enormous influence upon the prospects for peace in the world. The Senate may recall that Premier Nikita Khrushchev, of the Soviet Union, commented publicly on the remarks which I made on February 12. I refer, Mr. President, to a news story which appeared in the Washington Star on February 19, 1959.

Mr. Khrushchev is reported in this story as hailing as "worthy of attention" certain of these proposals. He went on to say that:

One could reach agreement with people who have adopted such sober attitudes.

He went on to say, further:

Supporters of the cold war are attacking MANSFIELD and accusing him of making concessions to the U.S.S.R. Nobody is making any concessions to us. MANSFIELD is just thinking soberly and sensibly.

It was the recollection of that comment by Mr. Khrushchev which led me to make this statement today, at a moment when the Geneva Conference may be in danger of failure. What I wish to point out is that if the Soviet Premier believed a few months ago that the proposals which I had made were sober and sensible, and if, as I have just noted, proposals of a very similar nature have been introduced at Geneva by the Western delegations, then perhaps Mr. Khrushchev should also regard the latter as sober and sensible.

True, Mr. President, in comparing the statement which I made on February 12 with the Western proposals which were presented in Geneva, one may find that the "i's" are not always dotted in precisely the same way and the "t's" are not always crossed exactly alike. But the intent is very similar. Therefore, if the Soviet Premier believed that a basis for bona fide negotiations resided in my statement, he may rest assured that it is also present in the Western proposals. Unless he has changed his mind since that time, or unless he has not been adequately informed, I believe Mr. Khrushchev will find that these Western proposals at the conference are equally, if not more so, worthy of attention. I believe he will discover that the Secretary of State, Mr. Herter, has not presented

these proposals out of any attempt to secure a hollow propaganda victory, not out of any desire to exacerbate the cold war, but in a sincere effort to express in a practical fashion the desire of the people of the United States to find a secure and equitable settlement of the fundamental problems of a divided Berlin, a divided Germany, and a divided Europe. At the least, I respectfully suggest to Mr. Khrushchev that these proposals are worthy of a more careful treatment at the hands of the Soviet Premier than they received at the hands of the Soviet delegation which tended to dismiss them as completely unacceptable or too involved or too complex.

Mr. President, I call the attention of the Soviet Premier to these matters in the hope that, as he recognizes that the larger interests of the Russian people, the people of the United States, and all peoples require peace, no less will he recognize that the wish for peace must be translated into the acts of peace. Specifically, it must be translated into agreements. What is done in this connection at Geneva is essential to what may come later at a summit.

If the West were to go to the summit, or, indeed, if the Soviet Union were to go to the summit with the two positions as far apart as they now are, as a realist, Mr. Khrushchev must know that little, if anything, would be accomplished. That is why I hope the Soviet Premier himself will consider the Western proposals. I hope he will study them. I hope, on the basis of his personal study, he will be specific, he will instruct his aides at Geneva in terms of "this we can accept and this we must talk about further." It seems to me, in the light of President Eisenhower's desire and effort to be reasonable, in the light of the new approach which the Western nations have pursued at Geneva, some such action on Mr. Khrushchev's part is essential at this point to advance the cause of peace.

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

Mr. MANSFIELD. I am delighted to yield.

Mr. GORE. I am impressed by the able statement by the distinguished junior Senator from Montana. I am prompted to rise by the statement the Senator from Montana made a moment ago that he hoped the Russian dictator would give specific instructions to his representative at Geneva, Mr. Gromyko. This calls to mind the fact that recently there was in circulation in the United States a statement and a thought that there must be a summit conference, because in the Russian hierarchy only Mr. Khrushchev can speak with authority.

The question I should like to ask is this: What authority does Mr. Herter have except that which stems from the President of the United States? Secondly, is there any reason why Mr. Khrushchev could not make a delegation of authority to Mr. Gromyko, specifically and generally, in the manner President Eisenhower delegates authority to his Secretary of State, Mr. Herter?

Mr. MANSFIELD. If Mr. Khrushchev wanted to, he could, but I am afraid

there is more flexibility, if I may use that word, in the relationship between the Secretary of State, Mr. Herter, and President Eisenhower, than there is between Mr. Gromyko and the Premier of the Soviet Union, Mr. Khrushchev.

Mr. GORE. What does the Senator mean by "flexibility"?

Mr. MANSFIELD. I mean that there is more of an accord between our Secretary of State and the President, who have worked out a plan and policy which they discuss daily. They know what the procedure will be.

I think that at times Mr. Gromyko is solidified, so to speak, and has to wait for clear and unmistakable policy decisions from Moscow, which I assume he is doing at the present time, on the basis of the ultimatum he presented to the Western representatives at Geneva a few days ago, and in turn which Mr. Herter and his colleagues, and rightly so, refused to consider.

Mr. GORE. But the ultimate power of decision is with the heads of state.

Mr. MANSFIELD. It is with the heads of state.

Mr. GORE. In the case of the United States a treaty is subject to Senate ratification.

Mr. MANSFIELD. The Senator is correct.

Mr. GORE. Whereas the Soviet Union has no such constitutional requirement.

Mr. MANSFIELD. The Senator is absolutely correct.

Mr. GORE. The matter which I rose to challenge, prompted by the statement the Senator made, was that there must be a summit conference because Mr. Khrushchev is the sole man in the Soviet Union who speaks with authority on foreign policy. In whom does the Constitution of the United States vest authority to be spokesman in foreign affairs?

Mr. MANSFIELD. I am afraid I would have to disagree with my distinguished friend from Tennessee, because frankly I am personally opposed to a summit conference. I do not see what could be achieved by such a conference, on the basis of the results of the negotiations at the ambassadorial or foreign minister level. However, the President has indicated that if progress is made at the foreign minister level he will attend a summit meeting. On that basis, we have no choice but to give the President our full and complete support.

As I shall try to indicate later in the course of my remarks, the President has reiterated time and time again the postulate that real progress must be achieved at the Geneva meeting, and that he is prepared to define "progress" somewhat liberally.

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

Mr. MANSFIELD. I am delighted to yield.

Mr. GORE. I think the Senator must have misunderstood my statement, or attributed an implication to my remarks which I had not intended. I had not intended to convey either an endorsement of or opposition to a possible summit conference, nor did I intend to indicate any lack of support for Presidential objectives in case such a conference is held.

Mr. MANSFIELD. Neither of those thoughts was implied in the statement, or assumed by me. I understood the Senator to say he thought there should be a summit meeting.

Mr. GORE. I did not intend so to state.

The one point I wished to flag was the statement regarding authority. As a matter of fact, I think the President at a press conference made the statement that one reason for a submit conference was that only Mr. Khrushchev could speak with authority. The point I am trying to make is that Mr. Khrushchev could delegate authority to Mr. Gromyko, the same as President Eisenhower can delegate authority to the Secretary of State, Mr. Herter.

Mr. MANSFIELD. The Senator is correct.

Mr. GORE. Whether there should or should not be a summit conference is another point, but there should not be one based on the fallacious argument that only Mr. Khrushchev can speak with authority. If Mr. Khrushchev can speak with authority, then he can specifically delegate authority as the Senator has just urged that he do.

Mr. MANSFIELD. The Senator is absolutely correct. I am delighted we have had this colloquy, because I think we have been able to straighten out what might have been a slight misunderstanding, and I agree with the Senator thoroughly.

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

Mr. MANSFIELD. I yield.

Mr. CLARK. I have been very much interested in the colloquy, by reason of something I learned only the other day, which is that Mr. Gromyko is not a member of the Presidium, nor is he, I believe, a member of the Politburo. Mr. Gromyko occupies a far lower position in the Russian hierarchy than Mr. Herter occupies in ours. Is that correct, according to the Senator's information?

Mr. MANSFIELD. That is correct.

Mr. CLARK. That leads me to make inquiry of the Senator as to whether he has any reaction to what seemed to be a very sensible suggestion made by Mr. James Reston in the New York Times this morning. Mr. Reston pointed out, I think, that for a little over half the time since Mr. Herter has been Secretary of State he had been engaged in either preparations for or actual participation in this Conference at Geneva, in which he has been dealing really with an underling, Mr. Gromyko, who presumably has very little authority, and this makes it very difficult for Mr. Herter to do the job of conducting the affairs of the State Department, attending to his duties as the leading member of a coalition, and doing a good deal of reorganization work which I personally think is required in the State Department.

Mr. Reston made the suggestion that perhaps we should have a special ambassador in charge of negotiations with the Russians, and he thought possibly former Ambassador Bohlen, who, as Mr. Reston said, was playing golf in Manila—

Mr. MANSFIELD. Who was improving his golf.

Mr. CLARK. Who was improving his golf game in Manila, might be an excellent choice for that task. At least Mr. Bohlen, who speaks Russian and who has had wide experience in Moscow, could fail to come to an agreement with Mr. Gromyko just as well as Mr. Herter; but, if Mr. Bohlen were charged with the task, that would release Mr. Herter, for whom I have the highest regard and the greatest respect, to spend his time on matters of perhaps equal importance to that of disagreeing with the Russians. I wonder what my friend from Montana thinks of the suggestion.

Mr. MANSFIELD. I will say to the distinguished Senator from Pennsylvania there is much that is meritorious in the story by Mr. Reston. However, I point out that Mr. Herter is going through the kind of ordeal which any modern Secretary of State must anticipate in these days of the cold war.

I point out that we should consider Mr. Gromyko in the light in which Mr. Khrushchev wants him to be considered, because, after all, he has been delegated the position of representative of the U.S.S.R. at the Geneva Conference. The representatives of the Governments of France and Great Britain have similarly been delegated as representatives of their respective countries.

I have expressed the hope, rather than to see these Conferences fail, rather than to see Mr. Herter continually kept occupied at Geneva, that if there is no possibility of settlement in the fairly near future, one of his assistants, Mr. Dillon, Mr. Murphy, or Mr. Henderson, might take over. I assume that the other powers their represented would likewise descend that much in the scale. But even though Mr. Gromyko, in our opinion, is not the equal in prestige or position of Mr. Herter, Mr. Couve de Murville, or Mr. Selwyn Lloyd, nevertheless, I think we must observe the amenities in a conference of the kind now going on.

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

Mr. MANSFIELD. I yield.

Mr. GORE. Is there any reason why, regardless of whether Mr. Gromyko is a member of the Praesidium or not, as spokesman for the U.S.S.R., the head of state could not delegate to Mr. Gromyko whatever position or authority the head of state desired to delegate?

Mr. MANSFIELD. Yes; and he undoubtedly does.

Mr. GORE. There is another Conference under way at Geneva, at which we are represented, not by our Secretary of State, but by Ambassador Wadsworth.

Mr. MANSFIELD. And probably the most important Conference of all, in its implications.

Mr. GORE. It probably considerably overshadows in importance the other Conference under way, to which the most attention is directed.

The question I wish to pose is this: Though Ambassador Wadsworth does not hold a position in the Cabinet of the President of the United States, does not this Government delegate the power to Mr. Wadsworth to make specific proposals and commitments? Indeed, 17

articles of a proposed treaty have already been agreed to with Mr. Wadsworth as the spokesman of the United States. So the principle of delegation of authority is not necessarily hindered by the rank of the delegate. The extent of the delegation is the important thing.

With respect to the Russian dictator, Mr. Khrushchev, the able Senator said:

I hope the Soviet Premier himself will consider the Western proposals. I hope he will study them. I hope, on the basis of his personal study, he will be specific, he will instruct his aides at Geneva in terms of "this we can accept and this we must talk about further."

In other words, the Senator is expressing the wish that the head of state of the U.S.S.R. will delegate authority to his representative at Geneva in a manner comparable to the delegation to Secretary Herter by President Eisenhower.

Mr. MANSFIELD. The Senator is exactly correct; and if Premier Khrushchev will show the same degree of trust, confidence, and flexibility with respect to Mr. Gromyko that President Eisenhower has shown—and justly so—with respect to Secretary Herter, I think there may be a possibility of achieving something in the way of success.

Mr. GORE. As further attesting to the desire of the U.S. Government, I invite the attention of the able Senator to the fact that just before Secretary Herter's departure as the representative of the U.S. Government at the Geneva Conference, the question of confirmation of his nomination came before this body, and he received the unanimous endorsement of the Senate.

Mr. MANSFIELD. Yes. That was a rare event, an event which, of course, indicated our full and complete support of the new Secretary of State. The vote was 93 to 0, and the 5 absent Senators were recorded as being in favor of the confirmation of his nomination. It was an unusual demonstration in behalf of Mr. Herter; and I, for one, am glad the Senate lived up to its responsibilities on that occasion and gave Mr. Herter a unanimous vote of confidence.

Mr. GORE. So, not only has the President of the United States sent to the Geneva Conference the highest ranking Cabinet officer, the man who, at Cabinet meetings, sits at the President's right hand; but the Secretary of State has gone with the unanimous support and vote of confidence of the U.S. Senate.

Mr. MANSFIELD. The Senator is correct.

In my experience—I have been in Congress 17 years, and the Senator has been here longer—I do not recall a similar expression of confidence to the one which the Senate—and I believe rightly—gave Mr. Herter when his nomination was before it for confirmation. He is a good man. I think he is representing us ably and well. If the Conference breaks down, it will not be the fault of Secretary Herter.

Mr. CLARK. Mr. President, will the Senator yield for one further comment?

Mr. MANSFIELD. Certainly.

Mr. CLARK. I agree with everything the Senator has said about Secretary Herter. The question arises as to "Who

is keeping the store?" Is it not important that the store should be kept by the chief storekeeper? I happen to have the greatest admiration for Douglas Dillon. I heard him make a brilliant and able speech at Harvard University yesterday afternoon, in which he advocated policies respecting foreign aid with which I am in complete accord. I am not at all sure that the President of the United States and the Secretary of the Treasury are in accord.

Mr. Dillon has a terrific job on the economic side of the State Department, as does Mr. Murphy. Mr. Murphy is a trained diplomatist. His experience has been largely as a troubleshooter.

Mr. Murphy also received a degree at Harvard, which I think was well merited. I think my university did well by the State Department.

However, it seems to me that the problems confronting the Secretary of State all over the world and at home are such that some serious thought should be given to making some arrangement whereby he could spend more of his time on his duties here, in directly advising the President, and less of his time in what must be a very frustrating experience, sitting across the table from the Russian delegates and hearing the word "nyet," coming across the table every 15 minutes.

Mr. MANSFIELD. The Senator is absolutely correct in his statement; and I anticipate that once the Conference is out of the way we may see a change, in that the Secretary of State will remain at home for longer periods of time, going abroad only on special occasions. This, of course, was a special occasion, and there was nothing Secretary Herter could do about it.

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

Mr. MANSFIELD. I yield.

Mr. GORE. I agree with the observation just made by the distinguished senior Senator from Pennsylvania. I again express the view that the President of the United States should not permit himself to be impelled into a summit conference, if otherwise it appears inadvisable, by reason of the fact that Mr. Khrushchev refers to the Conference at Geneva as being a conference of underlings. There is no reason why he could not delegate to the representative of his country the same degree of dignity and authority with which our representative has been speaking.

Mr. MANSFIELD. The Senator is right.

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

Mr. MANSFIELD. I yield.

Mr. KEATING. The suggestion that if these talks break down there should be a summit conference anyway, and that that is all the more reason for a summit conference, has not come from the President of the United States.

Mr. MANSFIELD. I agree.

Mr. KEATING. The President of the United States has made his position very clear—that there must be evidence of progress at the Foreign Ministers Conference before he will go to the summit.

I express the hope that he will stick to that position, that there will be no

summit conference under duress or under threats to do something tomorrow or to do something a year from tomorrow or to do something a month from now, or at any other time.

Mr. GORE. I trust the Senator did not understand that I had made the suggestion that such a thought had come from the President.

Mr. KEATING. I felt there was an implication to that effect. That is why I rose to say what I have said.

Mr. MANSFIELD. I did not interpret what the Senator from Tennessee said in that fashion, because I am quite sure that, so far as we are concerned, we are behind the President in his oft-repeated statement that he will not go to the summit unless there is progress made at Geneva. A week ago Wednesday he said that he would define progress very liberally. How far can one go? How much more can be done? The President acted magnificently. I believe Mr. Herter has, too. We have done everything we could possibly do, and I think it is now time for the other side to come forth with something in the realm of real possibility.

Mr. KEATING. I agree emphatically with the views of the distinguished Senator from Montana.

Mr. MANSFIELD. I thank the Senator.

Mr. Khrushchev can do much to clarify the areas of agreement which already exist and to delineate the areas of disagreement which must be reconciled by direct talks of heads of states. Unless this is done now, what, indeed, can we or the Russians expect to achieve by a meeting of a few days duration at the summit? If there is, in fact, something else to be achieved, then it would be helpful if the Soviet Premier made clear what it is.

I urge this course, in all sincerity, on the Soviet Premier. I urge him to take it before positions solidify into the brittle crusts of propaganda, before decisions are made that cannot be revoked. In this connection let me say that it may not be possible to stop the Soviet Union from making a separate peace treaty with East Germany if that is its intention. Nor can that nation be stopped from withdrawing its forces from Berlin, if it so desires, before a broad settlement is reached. If either of these irrevocable steps is taken, however, the tasks of peacemaking will be infinitely compounded. The breach may no longer be closable in this generation or the next. The seeds of inevitable war may well be implanted.

The moment calls for patience, not impetuosity. It calls for forbearance. This is not the time for the West or for the Soviet Union to entertain the idea of picking up their respective marbles and going home.

We have stated and we will continue to reiterate, as the President and Secretary Herter have on so many occasions, that there will be no summit meeting unless a degree of progress is achieved. The President noted on June 3 that he would be prepared to define liberally what he meant by progress. I commend him for his willingness to stay in the

game, and for his statesmanship in giving every possible encouragement to our Secretary of State in the difficult negotiations now being conducted in Geneva.

If we are firmly convinced that there is no basis for a settlement, then we should be prepared to break off the conference, cleanly, honestly, and without futile recriminations. We should not do so, however, until every possible facet is explored and every possible move is made. I am certain that it is the intent of the President and Secretary Herter and his colleagues to strive to arrive at equitable agreements. I am likewise certain that if and when the time arrives when the representatives of the West are convinced that there is no point in continuing the talks at Geneva, that they will make their decision known and return to their respective countries. Certainly, however, that point has not yet been reached. Let us be in no hurry. Let us be patient and let us explore every reasonable and honorable channel in the hope that an agreement is still possible and that the deepest desire of mankind can, at least in part, be realized. No nation at this critical time has the right to be more interested in saving face than in safeguarding civilization.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks the following matters: An editorial written by William Randolph Hearst, Jr., and published in the Hearst newspapers on June 7, 1959; a speech which I delivered in the Senate on February 12, 1959, entitled "The Coming Crisis in Germany"; a speech I delivered in the Senate on February 26, 1959, on the German question; a speech I delivered at the annual dinner of the Alumni Association of the Law School of New York University on April 8, 1959; a speech I delivered at the Bicentennial World Affairs Forum of the Foreign Policy Association, at Pittsburgh, Pa.; and a commencement address delivered by me at Gonzaga University, Spokane, Wash., on May 24, 1959.

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

[From the June 7, 1959, issue of Hearst newspapers]

EDITOR'S REPORT

(By William Randolph Hearst, Jr.)

Back in 1955, when the Hearst task force interviewed Soviet Bossman Nikita Khrushchev, he bragged that the Communist system could compete with ours in the economic sphere and thereby overcome us without war.

The Russian leaders have spouted that line continuously since then. But it seems to me that their recent actions in international diplomacy indicate they don't really believe their own claims.

Everybody in his right mind, in any country, knows that war would be devastating to both sides. Everybody also knows that the heavy armament burdens of the cold war, with peace always hanging by a thread, prevent any nation from achieving its full economic potential.

Yet when the Russians have a chance to relax the tensions that divide their world from ours, which would benefit everybody, they remain rigidly frozen in hostility.

The proposals by the Western allies at the Geneva Foreign Ministers Conference offer Khrushchev basically what he has always claimed to want.

He has said he wants the East Germans talking directly with the West Germans on equal terms. The West's plan for arranging German reunification provides that.

He has said he wants German armament limited. The West's plan provides that.

He has clamored for withdrawal of foreign troops from central Europe. The West's plan provides for that.

To get what he says he wants, Mr. K. would just have to agree to one important condition—free elections for the German people. In brief, the opportunity for peaceful co-existence. He must realize he can't postpone that forever.

Such a settlement in central Europe would insure peace in the greatest zone of tension in the cold war, and everybody would be more free to concentrate on economic gains.

You'd think the Russians would leap at this chance if they really thought their Red system could beat our free enterprise system.

Peaceful coexistence is what Mr. K. always claims he wants and which he says would show the superiority of the Communist system over capitalism.

Well, it exists in Berlin, and Red East Berlin doesn't look so good side by side with free West Berlin. So now, when we offer peaceful coexistence for all Germany, it's not surprising that he dodges it.

[From the CONGRESSIONAL RECORD, Feb. 12, 1959]

THE COMING CRISIS IN GERMANY

ILLNESS OF SECRETARY OF STATE DULLES

Mr. MANSFIELD. Mr. President, before I proceed to the remarks which I intend to make on the German situation. I wish to say that I am deeply distressed by the news of the illness of the Secretary of State.

The duties of the Secretary of State are just about the most exacting and strenuous in the Government, not excluding the Presidency. The intellectual demands of the job are enormous. The physical demands are appalling. For years, Secretary Dulles has borne up under them without complaint. His stamina and durability have been little short of incredible. However, in the Secretary, as in other men, there is a physical limit. His total personal dedication to the service of the Nation has taken its toll of his health. As one doctor put it, the Secretary is worn out. It is a shame, Mr. President, that the Nation has required so much of one man. And it is to the Nation's detriment, moreover, that he has had to push himself beyond the limit.

We can ill afford to lose his services at any time. We can spare them least at this moment. Secretary Dulles is needed as never before to complete the very delicate negotiations on Berlin and Germany which he has just begun so auspiciously.

Mr. Dulles has capable associates in the Department of State. With all due respect to them, however, the Secretary will be sorely missed in the weeks ahead. The Nation needs his great experience, his balance, his strength, his ability to decide.

I share with the President and the Nation the feeling of distress which the Secretary's illness brings. I know the Senate joins with me in wishing Mr. Dulles a full recovery and a prompt return to his key role in the search for a secure peace.

Mr. SPARKMAN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. I endorse everything that has been said by the distinguished Senator from Montana concerning the illness of Secretary of State Dulles and the work which he has been doing. I have often marveled, as I am certain many other persons have, at his stamina. I recall reading in the press recently that during the time Mr. Dulles has been Secretary of State, he has traveled more than 500,000 miles. He

has made many long journeys, and often after his return, perhaps within a day or two, he would be off on another long trip.

I first knew Mr. Dulles when he served for a short time in the U.S. Senate. But I came to know him better when I served with him in the United Nations as a delegate in 1950 and, subsequent to that time, for the ensuing 12 months.

On September 8, 1950, at about 12 o'clock noon, President Truman called Mr. Dulles to the White House. Mr. Dulles at that time was an assistant in the Department of State under the then Secretary of State Acheson. President Truman asked Mr. Dulles on that day if he would be willing to assume the responsibility of formulating the Japanese Peace Treaty, and in getting the two score or more nations which would be parties to the conference to agree to its general terms.

If an assignment can be imagined which was more difficult and more complex than that of bringing together some 40 nations of the world which were greatly concerned about the terms of the Japanese peace treaty, I cannot conceive of it. But Mr. Dulles undertook to do the job. Mr. Dulles told me later that President Truman asked him at the time how long it would take. Mr. Dulles replied that he thought it would take a year. Mr. Truman then said, "I will give you 1 year in which to finish the job."

At that time I was the chairman of the Subcommittee on Far Eastern Affairs of the Committee on Foreign Relations. I became a member of the committee in January 1951. Naturally, I had a close relationship with Mr. Dulles in his work during the entire year 1951. I was in conference frequently with him, because this was a Far Eastern question. The subcommittee and our assistants met with Mr. Dulles at all times of the day, sometimes in the morning, sometimes at lunch, sometimes in the afternoons or evenings. I feel quite certain that during the time the treaty was being formulated, the Subcommittee on Far Eastern Affairs, Mr. Dulles and his associates had probably 100 different meetings. I have often said it was one of the most remarkable jobs I ever saw any man perform. It was not easy to bring together the British, on one hand, and the Nationalist Chinese, on the other. It was not easy to bring together the southeast Asia nations and the central European nations. But gradually Mr. Dulles wove a plan under which all nations were at least willing to attend a conference.

The Conference was held in the San Francisco Opera House. It ended on September 8, 1951. Just before we left the opera house, I said to Mr. Dulles, "This is the anniversary of the day you undertook to do this work. At what time of the day did President Truman assign it to you?" Mr. Dulles replied that it was at 12 o'clock noon. I looked at my watch, and, making allowance for the difference in time between Washington and California, I said to him, "You have 8 minutes to spare." In other words, the time lacked 8 minutes of being 1 year from the time Mr. Dulles had undertaken to do the work.

Following the Conference, former Senator Smith, of New Jersey; Mr. Dulles, acting for Mr. Truman, and Secretary of State Acheson and I visited a number of the Far Eastern countries. We spent several weeks in Japan working with the different groups there in arriving at understandings, as best we could, and working on the rather difficult problem involving Nationalist China, particularly, and the whole China problem, as well.

It was then that I came to admire Mr. Dulles. I admired his tenacity, his power of intellect, and his skill in negotiating. One of the great services he has performed as Secretary of State has been in the field of negotiating between nations which had differences and problems which were most difficult to solve.

I share the feeling which has been expressed by my good friend, the Senator from Montana, as to the need for Mr. Dulles to present to deal with the particular problem about which the Senator from Montana will speak to us today. I am delighted to know that since Mr. Dulles' physical condition is such that his doctors advise his taking leave and entering a hospital, he has acted on that advice. I hope he will remain away from his work for as much time as will be necessary to result in a complete restoration of his health, which I am confident will take place, because I know something of the physical stamina of the man.

I wish him a speedy recovery and a return to his position as Secretary of State just as soon as he is able to do so. I feel certain that his influence will be felt in the negotiations in the various conferences which will be held in the future. I know that his assistants in the Department of State who have worked with him for so long and so well will be able to carry on. I am sure they will support Mr. Dulles, and that his negotiating ability will be felt in the conferences, and will continue to be helpful even in his absence.

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

Mr. MANSFIELD. I yield.

Mr. AIKEN. I have been very happy to hear the expressions of good will toward Secretary Dulles which have been spoken today. I wish to join in them.

I have been a member of the Committee on Foreign Relations only 4 years, and have not been so closely associated with the work of Mr. Dulles as has the Senator from Alabama [Mr. SPARKMAN], for instance, who has just concluded his very fine statement.

I think few men in public life have given so much of their time during so many years of their lives to the formulation and administration of foreign policy as has Secretary Dulles. I know the Nation is grateful to him for his accomplishments. I know ours is a bipartisan gratefulness, also, as the Senator from Alabama has well expressed.

I do not suppose that all of Mr. Dulles' plans have materialized as he hoped they would. But we must recall that he has been serving as Secretary of State and as adviser to the Secretary of State during one of the most critical periods of history, and many of the most difficult problems the world has faced have come before him for solution. We have seen the solution of some situations which were considered virtually insoluble—for instance, the situation in Trieste. I know all of us are happy to learn that there are prospects of permanent peace and harmony in the island of Cyprus, where the Turks and the Greeks have come to an agreement.

I believe the whole world owes a considerable debt to Mr. Dulles. I wish to join my colleagues in hoping that Mr. Dulles will have a speedy recovery, following his trip to the hospital, and soon will again be back at work. Even though everything may not have gone as he hoped it would, yet I know of no one who could have achieved a larger percentage of success than he has over these troublesome years.

Mr. MANSFIELD. I thank the Senator from Vermont.

Mr. CARLSON. Mr. President, will the Senator from Montana yield to me?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Kansas?

Mr. MANSFIELD. I yield.

Mr. CARLSON. I appreciate very much the opportunity to associate myself with the remarks of the acting majority leader [Mr. MANSFIELD], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Vermont [Mr. AIKEN], in regard to the Secretary of State, Mr. Dulles.

It seems to me that at this time, which seems to be one of our greatest international crises, our Nation and the other nations of the world can ill afford to spare the services of this most able man.

Secretary Dulles has demonstrated not only his ability, but, it seems to me, a peculiar temperament for working in this field. I think he gets that temperament and that background from being a great Christian layman. His interests are in people. I believe that is what we need during this period in the world's history. I think that one of our problems at the present time is to learn how to live with other people. Our generation has not done so well; as a matter of fact, we have fought about three wars in one generation. Somehow, in some way, our young people, the coming generation, must learn how to live with other people. When we learn to do that, I believe we shall be able to accomplish much in bringing about the peace and the economic conditions that all of us are praying and hoping for.

I wish for the Secretary of State a most speedy recovery. We need him. I know he will receive the best of care that doctors and medical skill can provide. So we look forward to his return to service.

Mr. MANSFIELD. I thank the Senator from Kansas.

Mr. President, I ask unanimous consent to have printed at this point in the Record, as a part of my remarks, a radio commentary by Jack Jurey on February 10, 1959, the evening of the announcement of the leave of absence for the Secretary of State.

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

"This is Jack Jurey with the WTOF comment for tonight.

"The newest illness of Secretary of State Dulles should cause us all to join President Eisenhower in extending best wishes to this dedicated official who, however much one may disagree with his policies, has worked so tirelessly on behalf of the United States.

"We long ago lost track of the total mileage logged by Mr. Dulles in his peripatetic quest for peace, or the number of stops he has made, or the number of officials to whom he has talked in virtually all quarters of the globe.

"But we do know this: that John Foster Dulles since 1953 has expended his energies and health at a reckless rate, at a time of life when most of us would be resigned to settling down with pipe and slippers. Especially since his operation for cancer, he has displayed an uncommon devotion to duty.

"This newsman recalls particularly that after his next-to-last illness, a bout with diverticulitis, Mr. Dulles apologized to a news conference for not having seen reporters for a period of several weeks. Such an apology was not only unusual in an administration which sometimes seems to take a lackadaisical attitude toward newsmen, but was expressive of the inner stuff of this unusually gifted man. In many respects he is a far better public servant than some of his critics would have us believe.

"Speaking of critics, it seems an appropriate time to mention that many Americans may not comprehend what has happened in the last decade to the office which Mr. Dulles holds.

"For well over a century and a half, a Secretary of State was, for the most part a Cabinet official subjected only to comparatively minor strains, for the reason that the United States considered itself (and was, for the most part) a remote island in the vast sea of international troubles. In the occasional period when the Nation was confronted by brutal world realities, it was often the President himself who bore the

brunt: Jefferson, Madison, Lincoln, Wilson, Franklin Roosevelt.

"The post-World War II years, however, have seen an evolution and elevation of the Secretary of State's duties, to the point where this single man whether he be George Marshall, Dean Acheson, or Dulles, has day-to-day responsibilities unparalleled in American history.

"The reason, of course, is this country's reluctant emergence as a massive world power, with all the trials and tribulations that such a status implies. The world struggle with communism, conducted on multidimensional levels, is enough to strain the strength, patience, and resources of any man, and certainly one who, like Secretary Dulles must carry with him the burdens of advanced age and the demands of an active, Christian conscience.

"We are among those who believe that, on occasion, Mr. Dulles has been mistaken. We consider, for example, that in some respects he has failed to demonstrate the resiliency of mind that new circumstances demand, although this criticism does not, for a moment deny the intellectual qualifications that he brings to his task.

"We who criticize, of course, could be wrong: only history will tell. But the fact that we demur on occasion does not diminish our respect for the man himself, one who carries a very heavy load indeed.

"Nor does criticism obscure the undeniable fact that in this moment of history, with the Reds pounding on the door of West Berlin, Secretary Dulles is very nearly an indispensable man to his country. It would be a matter of great concern should he not regain his health and not be able to resume his duties at the State Department.

"For both personal and national reasons we express the hope that Secretary Dulles will have a quick recuperation and will be able soon again to shoulder the full weight of his office.

"And that's that. It's WTOF comment. This is Jack Jurey."

THE COMING CRISIS IN GERMANY

Mr. MANSFIELD. Mr. President, let me preface my remarks with this assurance to the Senate: I am not an alarmist. I measure most carefully the words I am about to speak. In that context, I express to the Senate my belief that just ahead lies the most critical period which the United States will have had to face since the conflict in Korea.

The crisis, Mr. President, is coming in Germany. Specifically, it is coming in Berlin. Indeed, it may have already begun. For years now, the seeds of that crisis have lain dormant in a divided Germany. They have been held in check only by a kind of mutual acquiescence. The Western Powers have not wished to disturb the seeming stability in Germany. Since the Berlin blockade, the Soviet Union has not seriously threatened it. A few years ago, uprisings of East Germans shook the stability, but did not break it.

Those who have thought at all about the German situation have known for a long time that the surface calm would not last. The existence of two German authorities in what is one Germany has been, from the end of World War II, a makeshift arrangement. The Western Powers have recognized it. The Soviet Union has acknowledged it. The German leaders know it.

The key question has never been, Will Germany be unified? The question has long been, When and how will Germany be unified? Those of us who have urged an initiative in American policy with respect to Germany have been aware of this distinction. When I addressed myself to this subject in the Senate in May 1958, I had the distinction very much in mind. Because I

did, I tried to deal in the specifics of an American initiative. In suggesting, last May, alternatives to present policy, my thought was that when the status quo gave way, as surely it must, the changes ought at least to hold promise of leading to the strengthening of freedom in a peaceful Germany.

Mr. CHURCH. Mr. President will the Senator from Montana yield to me?

Mr. MANSFIELD. Mr. President, I am delighted to yield to my distinguished friend from Idaho.

Mr. CHURCH. I wish to apologize for interrupting so soon the remarks of the Senator from Montana, because I believe that the address he is delivering will be a most significant one. But I wish to say that, characteristically, in his opening remarks the Senator from Montana has pierced to the nub of the issue. Conditions in Germany are going to change. Germany will not indefinitely remain divided against itself. Germany will not indefinitely continue to be garrisoned by foreign troops.

It seems to me that those who say our foreign policy must be inflexible overlook the fact that ours is not a static world.

Therefore, Mr. President, I think the Senator from Montana rendered us a service when, a year ago, he emphasized the fact that conditions in Germany would be changing, and that we must be prepared to face up to those changes if we are to cope effectively with them. Flexibility in our foreign policy is a must. A steel blade bends. Pig iron breaks.

I wish to thank the Senator from Montana for coming forward at this stage in the developing Berlin crisis with a speech which will be helpful in giving guidance to all of us, to the President, and to the Secretary of State, in our common effort to solve that crisis for the benefit of the free world.

Mr. MANSFIELD. I thank my friend from Idaho.

Mr. CLARK. Mr. President, at this point will the Senator from Montana yield briefly to me?

Mr. MANSFIELD. I am delighted to yield.

Mr. CLARK. Mr. President, we have just returned to this Chamber from a most impressive joint session with the other body, in connection with the celebration of the 150th anniversary of the birth of Abraham Lincoln. At the joint session, during a brilliant address by the great writer and poet, Carl Sandburg, he had occasion to quote a sentence from Abraham Lincoln, which I believe is pertinent today in connection with the splendid address which my friend, the Senator from Montana, is making on the German question. Lincoln said:

"The dogmas of the quiet past are inadequate for the stormy present."

I wish to congratulate my friend, the Senator from Montana, for the fine address he is making on the German problem.

However, I would not be true to myself if I did not register a slight dissent from some of the comments which have been made with respect to the Secretary of State.

It is unpleasant and unrewarding to say unkind things about a man who is in physical pain, who has shown great physical courage, who is unquestionably a patriot, who is a man of great dedication to the public interest; but I would feel untrue to myself if I did not register on the floor of the Senate a dissent to the statement that he is indispensable to the conduct of our foreign policy in the immediate future. I call attention to what I have said on other occasions with respect to this matter.

I hope that these comments will be taken in good part, and that it will be understood that I make them only because I cannot remain silent when it might be indicated that I was in accord with what has been said.

I thank the Senator for yielding.

Mr. MANSFIELD. I appreciate what the distinguished Senator from Pennsylvania has just said. I commend him for his honesty and his integrity. Of course, I recognize that it is not a new viewpoint on his part, but that he has been consistent in his views in this respect for some time. I would point out, however, that the immediate danger, as I see it, is the Berlin and the German situation. No one knows more about those situations at the present time or is better prepared to lead the allies in meeting them than is the Secretary of State. On that basis, as well as on other bases, I wish him well. I wish him a speedy recovery. I anticipate that in the not too distant future he will resume his duties, and will act, not as his own agent, but as the agent of the President of the United States, in conducting foreign policy.

Mr. CLARK. Obviously, I do not wish to engage in a colloquy of extended duration with my colleague at this time. I should like to be recorded as very much hoping and praying for Mr. Dulles' immediate recovery; but I cannot agree that there are not in the State Department others as well or better qualified than the Secretary to carry on the German negotiations. I appreciate that this is a situation on which the distinguished Senator from Montana and I disagree. I shall desist from further comment on this particular phase.

Mr. MANSFIELD. I shall desist, also.

Mr. President, I repeat, in suggesting, last May, alternatives to present policy, my thought was that when the status quo gave way, as surely it must, the changes ought at least to hold promise of leading to the strengthening of freedom in a peaceful Germany.

We did nothing, Mr. President. We took no initiative. We went on in the familiar vacuousness, in the familiar patterns of policy patterns devised years ago, in another setting, under another administration. We did not face the fact that that policy was adequate to maintain a semblance of stability in Germany only so long as all directly concerned acquiesced in the continued division of that nation.

That is water under the bridge. We did not choose to act in a positive fashion to change the status quo. Now, the Russians have chosen to break it. They have chosen to make the break at Berlin. They have said, in effect, that, after the spring of 1959, the situation will no longer be as it has been in that city. They are quite right, Mr. President. Things will no longer be the same in Berlin or anywhere in Germany. If there is any certainty, it is that the situation in Germany at the close of 1959 will be far different from the present situation. We are approaching the beginning of the end, the beginning of the end of two Berlins and of two Germans.

The question, as I have already observed, was never, would Germany be unified? It was, when and how would Germany be unified? We may now have begun to comprehend the when; the actual process of unification is likely to begin this year. Only one question remains: How is Germany to be unified? Will it be by conflict, by negotiation, or by some mixture of the two? That is the question which is impelling us and the rest of the world toward the coming crisis in Germany.

CONSTITUTIONAL RESPONSIBILITIES IN THE GERMAN CRISIS

The responsibility for establishing binding foreign policies to deal with the impending crisis, the coming change in Germany, rests with the President and his Secretary of State. Let there be no doubt on that score, in this body, at home, in the executive branch, or abroad. It is not for the Senate to direct the President in this matter. The President will have to make his

own decisions, with the assistance of the vast resources of the executive branch. When he speaks officially on Germany, however, he will be speaking for all of us, whether or not we agree with what he says. There is no other way under the constitutional system of the United States.

To say that is not to constrain upon the Senate a silence in these matters. On the contrary, since we shall be bound, since the people of the United States shall be bound, by what the President and his Secretary of State do or fail to do in the coming crisis, the obligation of the Senate to debate, to discuss, and to advise is real and it is compelling.

The Senate of the 86th Congress was not constituted so that it might ignore pressing domestic questions. How much less then, can we remain silent on the life-and-death matters of foreign policy? The President and the Secretary of State have given no indication that they would have this body turn its back on the crisis in Germany. On the contrary, I note that the Secretary of State has already sought the counsel of the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT]. I commend the Secretary for his initiative. The brilliant chairman of the committee has much to contribute to the development of policy for the situation in Germany.

If the Senate is to meet its responsibilities, Mr. President, we must form, through debate and discussion, an understanding of the situation as it is, and as it is evolving in Germany. We must also discern clearly the stakes of the people of the United States and of freedom in that situation. We must advance, finally, ideas for consideration in formulating the foreign policies which are to safeguard the vital interests of our people.

These are the thoughts which have led me to these remarks on the coming crisis in Germany. I make them in the spirit of responsible Democratic cooperation with a Republican administration in a matter of vital concern to all the people of the United States.

TWO GERMAN AUTHORITIES IN ONE GERMANY

Let me begin by exploring the significant realities in Germany, as I see them. The basic reality, Mr. President, is that there are two political authorities in one Germany. That is a contradiction which cannot and will not stand. There is one Germany. And there are compelling historic and practical reasons which require that the unity of that nation begin to emerge without delay if there is to be peace in Europe and in the world.

I stress the point, Mr. President, that when we speak of the two Germanies we are really speaking not of two nations but of two political authorities. Each of these authorities presumes that it is the wave of the future in all Germany. Each seeks to draw the whole of the German people into its orbit.

To be sure, there are profound differences between the West German Government in Bonn and the East German Communist regime in Pankow. The Bonn government is based upon principles and practices of democracy which are consonant with those of other Western nations and are expressly supported by the inhabitants of West Germany. The Pankow regime exists by the methods of authoritarianism which come from the East. Its source of authority lies in the will to power of those who wield the authority and the acquiescence—however sullen—of the repressed people of East Germany. Its survival depends, to a far greater degree than anything we know in the Western democracies, on military and police power—its own and the Soviet Union.

The West German democratic government exists. It is there at Bonn, and the Communists are not going to wish it away or subvert it away. It is going to stay as long as the people in that zone sustain it and as long as the Western nations remain committed

to its protection against military aggression from the East. We cannot ignore the fact, however, that the East German regime also exists. It is there at Pankow, and German Communists run it, even though Russians may pull the strings from behind the curtain. Unfortunately, I see no evidence that the Western nations are going to wish away or subvert away that East German political authority in the practicable future.

If neither side can be wished away, or subverted away, how then is the division of Germany going to be made to disappear? How is a unified Germany, this essential Germany, this inevitable Germany, going to emerge? There was a time, perhaps, when it might have been reasonable to hope that the Russians and German Communists would soon find it too costly to maintain their control in East Germany. For years, we have waited for this promised development. We have waited for the Russians and their camp followers to fold their tents and steal away.

What we must ask ourselves now is whether there is any realistic basis for hoping that this development will come about in the practicable future. I regret to say that such public indications as there are suggest that the Pankow regime, with Soviet support, is consolidating its position, that its authoritarian hold on East Germany is, if anything, more secure today than it was a few years ago.

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

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. With respect to the last thought expressed, the Senator from Montana has stated that the authoritarian hold on East Germany is now greater than it was before. Will the Senator deal a little more in detail with that, and state whether the hold is the result of the power of the Communists, or whether it is the will of the people that they be held by the Communists?

Mr. MANSFIELD. I should be delighted to try to answer my distinguished friend from Ohio. I can say, of course, without equivocation that the present status is not the desire or the will of the people. The source of my statement is the U.S. News & World Report, the issue of February 13, 1959.

I read from page 67, at the bottom:

"East Germany's Communist Government has just published official figures on its planned expenditures for 1959."

Before I read further I wish to say that all the information I have in my presentation has appeared in the public print. There is nothing secret or official about what I am saying, and it simply represents one Senator's opinion as to what I think is the most difficult and dangerous question of today.

I continue with the quotation from the U.S. News & World Report:

West German financial experts, looking into the Reds' figures, in the budget and out of it, made a startling discovery.

"Military spending by the East German Reds in 1959 is to be 30 percent higher than military spending planned by West Germany. Yet the Reds say that West Germany is threatening the peace of the world."

That is what I mean when I say that the Pankow regime is more secure, not in a political sense but in a military sense. They have been strengthening themselves on a military and paramilitary basis. Of course, the 22 to 28 Soviet divisions are still in East Germany.

Mr. LAUSCHE. I agree with the Senator. My inclination would be to believe that the people of East Germany, if they had the opportunity, would unshackle themselves of the hold which the Soviet has upon them.

Mr. MANSFIELD. The Senator is absolutely correct. I have been told that the figure would run as high as 95 to 96 percent of the East Germans who, if they had the opportunity to vote, would vote against the present Ulbricht regime.

Mr. LAUSCHE. But the fact is that the Soviets and those of East Berlin who agree with the Soviets are applying constantly heavier pressure in the development of the military?

Mr. MANSFIELD. The Senator is correct.

Mr. LAUSCHE. I thank the Senator very much.

Mr. MANSFIELD. Mr. President, it is all very well to hope, as a general principle, for the disappearance of totalitarianism. We have held that principle for decades, but we have also had to live in a world which has contained since its beginning and still contains many totalitarian regimes.

No, Mr. President, a valid policy on Germany, now, must be built on more than the hope of the eventual disappearance of German totalitarianism. It can only be built on the premise that Germany, in one way or another, is going to unify and it is going to begin to unify soon. Further, it can only be built on the premise that that unity in Germany, if it is to come in peace, is likely to fall short of the ultimate goals set for it by both the Communist nations and the free nations—the goal, on the one hand, of a Communist totalitarian Germany, and the goal, on the other, of a fully representative democracy in all Germany.

Until a few months ago there might have been a possibility of evading that reality for a while longer by assuming that the status quo of division in Germany might go on indefinitely. But the prospect of evasion is now narrowing rapidly in the wake of Mr. Khrushchev's announcement of the coming Soviet withdrawal from Berlin. The blunt fact is that soon either negotiations leading to German unification in peace shall begin in earnest or there shall begin in earnest the use of force to that end.

BERLIN—THE CORE OF THE COMING CRISIS

This brings me to a second matter which we must explore, Mr. President, if we are to see our way clearly in the impending crisis. That is the question of Berlin. It is at Berlin, divided Berlin, and along the western routes of access to the city, that the first indications of the conflict leading to war or the success of negotiations leading to stable peace are likely to appear in the coming months.

I shall not take the time of the Senate to review the historic circumstances surrounding the present difficulties of the western position in Berlin. It is simple enough to find fault with what was done or not done by political and military leaders years ago. It is as easy, as it is pompous, to pass angry judgments on others, with the prop of hindsight. That process will serve no useful purpose in this situation.

Nor shall I take the time of the Senate to review the legal status of our position in Berlin. Some may find solace for our difficulties in legalism. Even the Russians sought justification for their actions in it. But legalism is at best a dubious way to deal with an explosive situation, when there are, as there are in this situation, two opposing judges, two opposing judgments, and two opposing instruments of mass destruction for enforcing the judgments.

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

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. I wish the Senator from Montana would discuss in a little greater detail the element of legalism being introduced. I have my own understanding of it. I think we are advocating the proposition that there are certain legal obligations rooted in agreements which we have made in the past, and that in making our demands we insist upon adherence to those obligations. Does the Senator mind discussing that question?

Mr. MANSFIELD. The Senator from Ohio is correct. References have been made to the

agreements made at Potsdam relative to the occupation of Berlin.

References have been made to the agreement entered into by Gen. Lucius Clay, at that time commander of our forces in Germany, with the Soviet authorities, by means of which we were guaranteed by the Soviet authorities access by rail, by road, and by air, from the western zones in Germany into the western sectors of Berlin.

Then, as I recall—and I believe the Senator will corroborate me on this—some sort of agreement was made by Mr. Phillip Jessup and a Russian representative whose name I cannot recall at the moment, which agreement Mayor Willy Brandt brought to our attention at the luncheon held in the Foreign Relations Committee room the other day. If I remember correctly, he stated that out of these Jessup-Russian consultations and agreements, which brought an end to the need for the allied airlift into Berlin, also came an agreement that we be allowed continued access. He suggested that we look into the agreement to which he referred as the agreement of 1949. Unfortunately, I have not had an opportunity to do so yet.

But there are these agreements, or alleged agreements, which give us the right to go in and to maintain access between the western zones and the west sector of Berlin.

The Russians predicate their claims on similar agreements, which they say were made at Potsdam and elsewhere.

Mr. LAUSCHE. It is the position of the Senator from Montana, then, that the problem is more involved and far graver in its possible consequences to world peace than mere adherence to those agreements would justify. We must go beyond that.

Mr. MANSFIELD. The Senator is absolutely correct, because in my opinion the potentials involved in this situation are terrible and tremendous.

Mr. LAUSCHE. I thank the Senator.

Mr. MANSFIELD. It does not much matter now how we got to Berlin, or why the Russians have no legal right to ask us to leave. What does matter, Mr. President, is why we need to stay in Berlin, as stay there we must. We are, bluntly, in a highly difficult and dangerous position in Berlin. Great sacrifices may be entailed in remaining. We had better understand clearly now the significance of maintaining our position there. We had better understand now what is vital and what is not vital in that position to the people of the United States and to freedom.

The administration has responded to the Russian proposals on Berlin by reiterating a long-standing view of the Nation. It has said, as the Democratic administration before it said, that we will not be driven from the city. The position of this Government, to stand firm in Berlin, has been endorsed by the North Atlantic Treaty Organization. It is supported by Democrats and Republicans alike in the Senate.

It is a sound position. Only it is not enough. It is not enough to say, Mr. President, that we are standing fast in Berlin. That is a slogan, not a policy. Nor is it enough, Mr. President, to stand fast merely to demonstrate our determination to maintain our legal interpretation of the situation as against the Soviet Union's.

Nor is it enough to say that we stand fast in Berlin so that we may continue to demonstrate in the heart of Communist Germany the material superiority of freedom or free enterprise over Communist collectivism. To be sure, there is a striking contrast between West Berlin and East Berlin, but I doubt very much that the people of the United States will countenance the sacrifice of a single human life for the purposes of propagandistic demonstrations in Berlin. And before this year is out many lives may have been spent in Berlin.

No, Mr. President, it is not for reasons of legalism or propaganda that we stand fast in

Berlin. The Western nations are in Berlin because Berlin belongs neither to East Germany nor West Germany; it belongs to all the German people. We are in Berlin because some Germans may now look to Bonn and others to Pankow for leadership, but all Germans will soon look to Berlin. 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 in peace will not be absent from the scene. If that concept were to disappear from Berlin, the citadel of German nationalism, sooner or later it would disappear from all Germany. Then, sooner or later, the torch would be lit in Germany, whether by German hands or some others, to set Europe and the world aflame once again. That torch was lit twice in Berlin in the past, and twice the world has paid an enormous human price. To see that it is not lit again is in the essential, the vital interest of this generation and future generations of the people of the United States.

That, Mr. President, is the reason which beyond all others, justifies the taking of the great risks which we may soon be called upon to take at Berlin and along the western routes to the city. We are in Berlin in order to get out, but to get out only on condition that the German political forces which stand for freedom in peace have a sure footing and equal chance to survive and to grow on their merits in the future capital of all Germany.

I support fully the position of this administration on the necessity of standing fast in Berlin. I question, however, the adequacy with which we have related that position to the changing situation in Germany. I question a policy which provides that not only do we stand fast in Berlin, but also implores or demands that the Russians stand fast. After years of trying to get the Russians out of the innumerable places into which they sprawled after World War II, it is indeed strange to hear that we are insisting that the Russians must not indeed, cannot, leave Berlin. That is a most peculiar position to say the least; and the Russians obviously have no intention of obliging us by remaining.

It is clear what is afoot there. In a few months hence, the Russians will leave East Berlin despite our demands or urgings to the contrary. East Berlin will then be, once again, a German city—Communist, to be sure—but nevertheless German. By contrast, West Berlin will retain the appearance it now has, the appearance of a Western enclave in the heart of Germany, for there are thousands of Allied officials and military personnel in the area. The contrast will not be lost on German nationalists in East or West Germany.

Further, Mr. President, if we are to hold this enclave without struggle, it will be at the sufferance of the East German Communist authorities. If they do not choose to accommodate us, then we shall in all probability have to fight our way through to Berlin, not against Russians, but against Germans. Even if this course does not lead to a great conflict, the repercussions in Germany will be profound. Among Germans, as among others, blood may prove thicker than ideologies.

As I said, there can be no quarrel with the need to stand fast in Berlin. I do question, however, a policy which does not anticipate the developments which I have just outlined and fails to take steps to mitigate them.

I question, too, a policy which presumes as our policy does that the great powers of World War II—the Soviet Union, the United Kingdom, France, and the United States—can bring about German unification. There may have been a time when such a course was possible. If it ever existed, however, it was years ago when Germany lay devastated and prostrate. It was years ago, in the freshness of the common sacrifices of World War

II and in the measure of mutual respect and tolerance which these sacrifices engendered.

Those years are gone. The time is not today. Today, there is little respect between this Nation and the Soviet Union except the fearful respect which the military power of the one may generate in the other. Today, Germany is neither devastated nor prostrate; it has become once again the most dynamic nation in Western Europe.

No, Mr. President, the erstwhile Allies, the divided Allies of World War II, are not in a position to ordain a unification in peace for a revitalized Germany. At most, they may be able to contribute to that unification by rethinking their own security needs in anticipation of its inevitable development. At most, they may be able to contribute to unification by exercising such influence as they may possess to encourage the Germans themselves to reach a reasonable procedure on unification and by sanctioning that procedure if it is sound. It is the Germans, themselves, however, who will make the decisive decisions on unification, if they are to be made in peace.

FREE ALL-GERMAN ELECTIONS

Further, Mr. President, I question, in present circumstances, a policy which presumes to lead to the peaceful unification of Germany solely on the basis of free, all-German elections. I say now what I said last May on this point, only with more emphasis. Events have moved a long way since this policy was devised and the bell no longer has an altogether recognizable sound when it is rung over and over again in the same fashion. A German political authority has emerged in the West. Another political structure has appeared in the East which is manned by Germans, even if it is not directed by them. Whatever we may think of this structure, there is no reliable indication that it is going to go away peacefully, of its own accord.

There are now military and paramilitary German forces in both East and West Germany. How are these forces to be integrated in peace? Is this a problem that can be solved by free, all-German elections, at least without extensive preparations by the Germans who officered these opposing forces?

There are differing economic and social structures functioning in Western and Eastern Germany. How are these structures to be fused in peace? Can they be harmonized by free, all-German elections, at least without extensive preparations by those Germans who operate them?

I cite these problems as examples. There are no doubt others of a similar nature. A policy which advances no thought on how they are to be met does not begin to meet the realities of the German situation. If the unification of Germany is essential and inevitable and if it is neither our responsibility nor in the interest of this Nation to seek that unity by force, then I submit that a policy which merely clings to an unrealizable slogan of free all-German elections, which does not pursue German unification by other means, is no policy at all. It is a straitjacket. It is an excuse for immobility. It may well lead down the blind alley of an unnecessary conflict or disastrous diplomatic retreat.

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

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. I take it, from what the Senator has stated, that the efforts to procure an overall election of citizens of East and West Germany have thus far proved to be futile.

Mr. MANSFIELD. The Senator is correct.

Mr. LAUSCHE. The East Germans will not consent to have an election under which their people can give expression to the type of government they want. Based upon the fact that that objective is an unrealizable objective, an overall free election, the Senator from Montana suggests that other means

should be explored to procure a solution of the problem. I wish the Senator would comment on that point.

Mr. MANSFIELD. I believe that the position of the Western Powers on the question of all-German elections is one which stands no possibility in the immediate future, and perhaps in the indefinite future, of achieving any degree of success. Therefore we should try to work out other means.

As I shall indicate in the course of my speech, there are contacts in existence between the East German Government and the West German Government. These contacts are made on an interzonal basis, and are tied up with commercial intercourse and trade commitments. I would hope that in considering the idea of elections, we might be able to explore, perhaps, ideas other than all-German elections, even though they are the most desirable, and I should like to see them come to pass, and we might try to break it down—and the sooner the better—so that the East Germans could express themselves at the polls, perhaps just in East Germany, and declare to the world where they want to go. In that way they might get out from under the yoke the Ulbricht government, which is exercising despotic and complete control over 17 million Germans in East Germany.

Mr. LAUSCHE. The Senator from Montana clarifies my mind on the subject. In other words, all of us want a free election under which the people themselves would decide the type of government they desire to have.

Mr. MANSFIELD. Absolutely.

Mr. LAUSCHE. However, every effort in that direction has been rebuffed, and it is therefore necessary to find other means of trying to reach an agreement.

Mr. MANSFIELD. That is the idea. The Senator is correct. Every effort to achieve an all-German election has failed because of the insistent and dogmatic "nyet" of the Soviet Union.

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

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. Do I understand correctly the position of the Senator from Montana to be that, while he adheres to what we have advocated so long, that is, free elections for all of Germany, and the idea of a unified Germany, he recognizes the very practical difficulty of having that under present conditions? Therefore he says that perhaps we ought to make ourselves more flexible and start exploring some other way, and that there might be held a separate election in East Germany and a separate election in West Germany, and thus perhaps there could be agreement upon some kind of independent government in each of the two areas, with the idea that eventually, as he says, because blood is thicker than water, with teamwork the two temporary Germanys will combine themselves into one overall united Germany some time in the future, even though we know not how far in the future.

Mr. MANSFIELD. The purpose of my speech today is to suggest, respectfully and constructively, some possible alternative which may be of value to the Department of State, or out of which may come ideas which would be worthwhile toward the bringing about of a solution to this most difficult problem.

Mr. SPARKMAN. I should like to propound a question to the Senator from Montana. He spoke about the rigidity of our position in the past. Undoubtedly it has been rather rigid, so rigid that perhaps our country, as well as a great part of the world, was rather shocked recently when Secretary Dulles suggested there might be more flexibility than we have given to the idea, and when he suggested there might be methods other than free elections for the solution of the problem. Is it not true, and would not the

Senator agree with me in this, that perhaps we have oversimplified the matter in assuming that a reunification could be easily brought about between the two Germans?

I may say that about 3 years ago I had the pleasure of attending an international conference at Garmisch in Germany. The conference was made up of people from all the NATO countries, representatives of governments, officials, business people, economists, members of Parliament, and so on, and one of the German Ministers with whom I had quite a long talk made the point to me, the first time I had ever heard it mentioned, that reunification is not a simple matter. As has been pointed out by the Senator from Montana, it might have been a relatively simple matter several years ago, right after the war. But since that time the two Germans have grown away from the conditions which the Senator has so well described in his speech. They have grown away from some of the incentives which might have pushed them together.

Furthermore, different enactments have taken place. For instance, the Minister of the Bonn government said to me, "This may sound strange, coming from me, but East Germany has a social security system which in many respects is better than ours."

Mr. MANSFIELD. It also antedates our own. Mr. SPARKMAN. Yes. Although I was speaking of the social security of West Germany, it is also true that theirs antedates ours, too.

East Germany has a system which is in many respects better than that in West Germany, so the East Germans could not be asked to give up their system of social security, workmen's compensation, and land reform.

The Senator from Montana, I believe, heard me ask the mayor of West Berlin the other day that very question, and he heard the mayor's comments, to the effect that to bring the two Germans together, whenever it may be done, will necessitate the resolving of differences and the making of allowances between the two governments. As I understand, that is exactly what the Senator is talking about. He is speaking of the necessity on the part of those concerned to be ready to consider and to negotiate with reference to all the changes which have taken place throughout the years.

Mr. MANSFIELD. The Senator is correct. Mr. SPARKMAN. I commend the Senator from Montana for making this very able speech and calling to our attention a matter which is not only of tremendous importance but also of great timeliness. After all, the ultimatum will expire on May 28, which is not far off. It has been suggested since the ultimatum was made that perhaps there will not be absolute adherence to that exact date. Nevertheless, we are approaching the day when Russia will leave Berlin.

I think the Senator is correct in saying that Russia will leave, and that the United States will be placed in a rather ridiculous position if we try to keep Russia there, when, as a matter of fact, we have been saying to the world for many years that she should get out of the different countries which she occupies.

Mr. MANSFIELD. As a matter of fact, the Soviet Union has already withdrawn some of its troops and a considerable number of the dependents of those troops. So it does not appear that Russia was fooling when it delivered its ultimatum. I hope that the United States will do, as I feel certain we are doing, everything possible to develop alternatives and to consider ways and means to meet the situation, if and when it arises, when the deadline occurs, as the Senator from Alabama has pointed out, on May 27.

Mr. SPARKMAN. I think the Senator from Montana is exactly correct. Certainly we should be exploring all the alternatives. I think the Senator will agree with me that

we ought not simply, easily, and quickly reject any proposal which is made, but that we should be willing to let the world know that we are willing to sit down and negotiate concerning every proposal which may come from either side.

Mr. MANSFIELD. Yes. I hope both the Soviet Union and the United States will get away from the automatic reactions of the proposals which one country makes to the other. Usually the answer is an automatic "No." Once in a while a "maybe" or a "perhaps" and occasionally a "yes" would be useful. I think in that way we might begin, at least on the marginal level, to do away with some of the differences. If we can do that, perhaps we can work our way upward to an eventual solution of the bigger problems.

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

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. The other day, in the talk with the mayor of West Berlin, I was greatly encouraged by his reasonableness in wanting to explore every avenue which might lead us out of darkness into the light and to an assured peace for those people. May I ask the Senator from Montana if he has given any consideration to the ability of the Soviet Union, after it has once withdrawn its troops, to jump in again because of its closeness to this area of East Berlin?

Mr. MANSFIELD. I have indeed. If the Senator will bear with me, I shall discuss that subject briefly when I come to the ninth point in my recommendation.

Mr. LAUSCHE. I thank the Senator from Montana.

MILITARY WITHDRAWAL IN GERMANY AND CENTRAL EUROPE

Mr. MANSFIELD. Finally, Mr. President, I question a policy which appears to regard as sacrosanct present military arrangements in Germany and Central Europe. I can understand, I can accept, I can support the concept that Western Germany's ties with Western Europe are essential to the peace of Europe and they must not be broken. Within that concept, however, I cannot comprehend a view which seems to hold inflexibly to the present form and extent of German rearmament. We have accepted and even encouraged rises in the German military contribution to NATO in certain circumstances in the past. I do not see that we cannot accept and encourage declines in that contribution in other circumstances in the future.

Security needs are ever-changing needs. Western Germany rearmament is not an end in itself. It is for the purpose of the defense of German freedom in common with the defense of the freedom of the Western community. It is not for the purpose of keeping rigid the tables of organization and the projections of presumed needs by the military command of NATO. These projections, in any event, have not been met for years and the world has not yet come to an end.

The nature and extent of German rearmament and of non-German armaments on German soil, in short, is one area of the problem of unification in which reasonable proposals for negotiation, wherever they may originate, ought not to be rejected out of hand. That is especially the case if these proposals are related to the reduction of military power throughout Central Europe. I know full well that the Russians may have no intention of withdrawing from the Eastern European states in any circumstances. Nevertheless, I can see no reason to make it easier for them to justify their remaining by a seeming intransigence on our part. I cannot see that the road to the eventual freedom of the states like Poland and Czechoslovakia is made easier by such a process.

RUSSIAN ROLE IN THE COMING CRISIS

Mr. President, let me turn now to the question of Russian intentions in the coming

crisis in Germany. In this matter there is only one certain course. Whatever they may do, we must assume that the Russians are acting to enhance the position of the Soviet Union and that of totalitarian communism throughout Germany and Europe. We must also assume that they will use whatever methods they believe will lead to these ends, not excluding aggressive war. The Russians may blow hot or they may blow cold. They may down a plane on their border one day. They may release a blocked convoy the next. We cannot know with certainty why they act as they act at any given moment.

We cannot know with certainty the purport of Mr. Mikoyan's recent visit to the United States. We cannot know with certainty the meaning of Mr. Khrushchev's comments on a thaw in the cold war. They may be meant to provide a setting for successful negotiations. They may be meant simply to confuse or beguile.

If they do confuse, if they do beguile, however, we shall have no one to blame but ourselves. We ought to be able by this time, years after the ill-fated Geneva Conference of 1955, to distinguish between the conciliatory gesture and the act of conciliation. Those of us who come from the cold country have learned through bitter experience that winter thaws can be followed by summer frosts. The promise of spring in February is not the same as the coming of spring in May.

There is, as I say, no way of knowing with certainty what some particular Soviet gesture or other signifies. What we can know, Mr. President, is that they are all good or bad, peripheral to the crisis which is coming in Germany. Mr. Mikoyan's visit is not going to free us from that crisis. Mr. Khrushchev's thaws will not do it. Increased Soviet-American trade has little relation to it.

If we are to be prepared to face this crisis in Germany it will be best not to become distracted or obsessed by the twists and turns of Soviet behavior. It will be best to keep our eyes on Germany. The fundamental question of policy for us is not so much what the Russians are looking for in Germany. We know what they are looking for; and they may very well seize it while we amuse or fascinate ourselves by trying to interpret the charades of Russian behavior.

No, Mr. President; more important, far more important, to us is to know what we ourselves are seeking in Germany. We must bring to this crisis not only courage, but also conviction. We must bring to it a positive and understandable policy which meets our essential national needs and the essential needs of freedom.

THE ESSENTIALS OF A WESTERN POLICY IN THE COMING CRISIS

As I noted earlier in my remarks, it is not for the Senate to direct the President and the Secretary of State in the conduct of the foreign relations of the United States. But it is a responsibility of Senators to try to contribute constructively—and I wish to repeat the word "constructively"—to the policies which govern those relations. It is in that sense, Mr. President, that I seek, in these final comments, to express the thoughts which this exploration suggests—thoughts on the essentials of a sound Western policy for the coming crisis in Germany. I have no crystal ball. I have no secret information. I have not been coached by anyone, nor have I been asked by anyone to deliver this speech. What I suggest may not be valid in the light of the greater understanding of others. It is one Senator's views, based upon what he has read, what he has heard, what he has tried to reason. It is, in short, the course which suggests itself to me on the basis of the understanding which I have been able to draw out of the confusion and complexity of the German situation. I can be—and may well be—wrong; and I stand ready to accept a better

illumination of the problem through discussion and debate in the Senate. For whatever they may be worth, however, I outline the following points as essentials of a sound Western policy on Germany.

First. It is essential, Mr. President, that forces representing the concept of freedom in peace not be driven out of Berlin. They need, at the least, to remain on a basis of equality with the forces of totalitarian communism in the future capital of Germany. If those forces are to have a chance to remain in peace, a Western initiative for peace is essential.

Second. It is time to call upon German leaders of the two Berlin communities—East and West—to begin serious efforts to unify the municipal government and public services of that city.

Third. To that end, Mr. President, it would be helpful to enlist the conciliatory services of the Secretary General of the United Nations. If agreement can be reached by East Germany and West Germany then it will be desirable to replace both Soviet and Allied forces with a United Nations interim police force composed of contingents from nations not directly involved. That force might supervise the agreement, and might see to it that all the routes of access to the city remain open until Berlin once again becomes the capital of a peaceful, unified Germany. It may be that in the Berlin microcosm there may evolve patterns of unification which will be applicable to the larger problem of all-German unification.

Fourth. If this approach or some such approach to a unified, neutralized Berlin fails, Mr. President, then it is essential that the forces representing the concept of freedom in peace in Berlin remain in Berlin, regardless of whether the Russians leave. Let them go, if they will. I would not wish to see this country a party to any insistence that they stay.

Fifth. At the same time, however, the forces representing freedom in Berlin must be Germanized as rapidly as possible. It is time to think seriously of replacing the thousands of allied military personnel in Berlin with German militia, fully supported by NATO guarantees.

Sixth. Some may regard discussions between Germans of the West and Germans of the East as tantamount to recognition of the East German Communist regime. Some who regard as appeasement not only talk, but even thought, which apparently is alien to them, on the serious problems of the nation, may even go so far as to label with this stamp of political chicanery any proposals of meetings between East and West Germans. Let them do it, Mr. President; it is their privilege.

But let me say this: If talk constitutes recognition or appeasement, then we have appeased and recognized Communist China, because a representative of this Government has been talking on its behalf, on and off, for years, with a Chinese Communist representative in Geneva and Warsaw. If talk constitutes recognition or appeasement, then the West Germans have recognized and appeased Pankow for years. The fact is that East Germans and West Germans have worked out practical agreements of various kinds between the two zones of Germany. As early as 1957, West Germany's exports to East Germany for the year totaled \$201 million. During the first half of 1958, \$125 million in trade moved in each direction. That kind of trade, Mr. President, does not take place without talk.

I do not know what the theory of international law may be. I do not know whether talk is tantamount to recognition. I do know that, as a practical matter, we have talked with, but have not recognized, Communist China. West Germans have talked

with and traded with, but have not recognized, Pankow. What is involved in the coming crisis in Germany is not a classroom problem on the theory of international law. It is the life or death problem of peace or war. The stake is the lives of tens of millions of human beings, Americans included.

I cannot see that there is going to be any peaceful solution of this problem without a great deal of talk—between Germans who are in authority in the Federal Republic and Germans who purport to be in authority in the Eastern zone. It seems to me essential, moreover, that this talk cover the whole range of problems of unification of the two zones, the whole range of problems involving the harmonizing of the political, economic, and military systems of the two zones.

Seventh. There is a point beyond which the search for peace can lead to the jeopardizing of freedom. Regardless of whatever agreements emerge, it seems to me essential that the people of East Germany have some genuine choice in the form of control which is exercised over them. There must be provision for the protection of the rights of all peaceful political forces in all Germany. All-German elections may not be essential, although I think them highly desirable, but at least there must be a chance for men and women of Eastern Germany, as well as those of Western Germany, to express themselves and their political preferences and to participate in political affairs without the threat of terror.

Whatever may be the details of the fusion of the two zones, they are best left to the Germans of the two zones. The Germans are likely to know better than anyone else what will suit them and what is possible among them. Furthermore, it is inconceivable that at this late date the erstwhile allies of World War II can work out these details on their behalf.

Eighth. The contribution which the Western allies, as well as the Soviet Union, need to make, if there is to be peace, is to guarantee, for a period of time, the kind of unified Germany which may emerge from discussions among the Germans. What the former allies need to do is to see to it that a unified Germany neither is subjected to military pressures from its neighbors, nor becomes a source of military pressure to its neighbors.

Ninth. To that end, Mr. President, it is essential to include within the scope of our policy the search for agreements which, while they do not compel a severance of West Germany's numerous ties with Western Europe, may lead to limitations of armaments throughout Germany and central Europe. Also needed are agreements which will pull back the so-called ultimate weapons and the armed forces of both East and West from the points of imminent contact in Germany and in central Europe. In short, Mr. President, it seems to me essential that our policy, NATO's policies, do not exclude a careful consideration of the Rapacki Plan, the Eden Plan for a demilitarized zone in middle Europe, or similar proposals in connection with the unification of Germany. Perhaps the best way to consider these matters would be to predicate them on reasonable agreements which may emerge from the Geneva Conferences on Surprise Attacks and the Suspension of Nuclear Tests.

Now getting back to what the distinguished senior Senator from Ohio [Mr. LAUSCHE] mentioned a while ago, he asked, I believe, if I recognized the significance of a pullback and how it would benefit the Soviet Union. I do recognize that in some kinds of pullback the Western Powers would receive the worst of it, but I think we ought to recognize also that if there is to be any possibility of peace, we shall have to make some concessions; this might be one of them. We need to recognize that in so doing, if a withdrawal, based on a reasonable solution were brought about, we would be the ones

who would take a loss in position, since the Soviet divisions, in going back to the heartland, would be in striking distance and would be better prepared than we would be to carry on any military activity in that area. But we have to develop give and take by starting from the bottom and working upward. If we do not get out of the position of rigidity, I believe the situation in Berlin and in Germany will become worse, and the bases on which there can be peace will become fewer and fewer.

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

Mr. MANSFIELD. I yield to the Senator from Ohio.

Mr. LAUSCHE. I agree with the statement of the Senator. In my opinion, there is a condition existing in which, if the Soviet Government continues to dictate to the Government of East Berlin, it will be impossible to bring about a reconciliation of East and West Berlin. Soviet Russia will not tolerate it. Based upon the adamant position of Soviet Russia, and based upon the rigidity of the situation as described by the Senator from Montana, while the matters about which I have spoken are highly desirable, I agree we should look for other avenues to escape the great holocaust which seems to be threatening us in the future. I, for one—and I believe confirmation has been given to this view by the mayor of West Berlin—would want every avenue explored, talks had, continued talks, in the hope that some solution may be found.

Mr. MANSFIELD. The Senator is correct.

Mr. President, I have taken a great deal of the Senate's time today. I have tried not to take it lightly. I have done so because it is clear that this administration, following the example of its predecessor, has committed the Nation to stand fast at Berlin.

It is a resolve well taken. Since we cannot yet perceive to what extremity of sacrifice it may lead in the months ahead, I have felt it essential to try to set forth for the consideration of the Senate my understanding of what is involved in the coming crisis in Germany. I am grateful that in this crucial time the Senate's principal Member in these matters, the outstanding Senator from Arkansas [Mr. FULBRIGHT] is a man with such a deep understanding and intelligent grasp of the international forces that play on the Nation. I hope that he will make his voice heard; I am sure that the President and the Secretary of State will listen most carefully. I would hope, further, that between them will evolve a policy that all of us, as Americans, will be glad to support.

Most important, Mr. President, I hope that the President of the United States, his Secretary of State, and the Congress will fortify the resolve to stand fast in Berlin with the conviction which only a positive policy for peace can give it. The Secretary of State has spoken of mutual concessions. Those are calm and wise words for this moment in time, with the clouds of radioactive death waiting to envelop the earth. I hope, deeply, that they will lead to a positive policy for peace. It is that kind of a policy for which rational men everywhere are waiting. It is that kind of a policy which they will be able to comprehend and to which, if need be, they will be able willingly to consecrate their lives.

The policy has yet to be formed. It needs to be formed soon. If it is formed, the concept of freedom in peace will not perish in Berlin, in Germany, or in the world.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JOHNSON of Texas. It has been a treat to be privileged to hear an excellent speech, such as the one which has just been concluded by a great man. The distinguished Senator from Montana has made many contributions to the cause of peace in the world,

but none more important than his forceful statement today. Always responsible, always constructive, we his colleagues in the Senate take great pride in serving with him.

On behalf of the State which I represent, I wish to say to the State from which he comes that the world is a better world because of MIKE MANSFIELD, and that the suggestions he has made today, predicated upon the great philosophy of Isaiah's advice, "Come now, let us reason together," should be heard around the world.

I thank the Senator for his constructive contribution. I feel very humble to be able to sit in his presence.

Mr. MANSFIELD. I thank the distinguished Senator from Texas.

Mr. President, I yield the floor.

[From the CONGRESSIONAL RECORD,
Feb. 26, 1959]

POLICIES RESPECTING GERMANY

Mr. MANSFIELD. Mr. President, I too, wish to speak on the German question. I am sorry that I did not complete the preparation of my speech in time to give copies to my colleagues, to the Official Reporters, or to the press.

I am grateful to the Senator from Connecticut for showing me and others of his colleagues—if not all of them—the courtesy of sending to us copies of the magnificent speech which he has just completed. I commend him most highly, because I think he has made a real contribution to the public understanding of this most important problem. I believe that in emphasizing the difficulties which will face our country and the free world on or before May 27, he has rendered a service which should be appreciated by all.

He minced no words in his speech. I shall mince no words in mine. As a U.S. Senator from the State of Montana, like the U.S. Senator from the State of Connecticut or any other State, I have a duty and a responsibility to call my shots as I see them, to let the cards fall where they may.

So with this apology to my colleagues, the Official Reporters of Debates, and the press for not having a prepared copy of my speech, and with my public commendation and congratulations to the distinguished Senator from Connecticut for making an excellent speech and laying it on the line, I wish to say thanks because he has rendered a public service. I hope other Senators, in addition to the Senator from Connecticut and the Senator from New York, will likewise take the floor and try to let the people of this country and the world know just what the American position is, and to emphasize that, regardless of any differences as to how we shall achieve our objective, there are no differences so far as our desire and our determination to remain in West Berlin are concerned.

Some days ago, I discussed in the Senate the coming crisis in Germany. Other Members have since contributed to the discussion of this critical matter. That is all to the good. I am persuaded that out of this turmoil of thought will come a firm and positive policy, a policy which even if it does not yield a rapid resolution of the German situation, will at least unite and steel the Nation for the dangerous days which lie ahead.

THE PROSPECTS IN GERMANY

Let there be no mistake about what does lie ahead. This is no diplomatic lark on which the world is about to embark at Berlin. This is no child's play of blind man's buff.

When I addressed the Senate on February 12, Mr. President, I made a deletion from my remarks just a few moments before I delivered them. I did so because I did not wish to be unduly alarmist. Now the same thought has been expressed by the Prime

Minister of the United Kingdom. It has been recognized by Members of this body such as the distinguished Senator from Kentucky [Mr. COOPER] and increasingly by the press. It is at least beginning to sink home that the world is entering into a situation in Germany in which the lives of tens of millions of people—Americans included—may well balance on the avoidance of a single significant error.

The British Prime Minister warned, the other day, of a suicidal war by "miscalculation." As the distinguished Senator from Kentucky [Mr. MORRIS], a former Assistant Secretary of State, has said this afternoon, the British Prime Minister also used the word "muddling."

I can say now with greater assurance what I intended to say but deleted from my remarks on February 12: "I express to the Senate my belief that just ahead lies a period which may well see the Nation and the rest of the world miss a devastating war by a very narrow margin. Indeed, it is a period which may see us in war, limited war or unlimited war, war by accident or war by design, war by childish stubbornness or bravado."

THE RESPONSIBILITY OF SENATORS IN THE IMPENDING CRISIS

If that is the case, Mr. President, what are the Members of this body to do? Are they to guard their silence when conscience compels them to speak? Are they to ignore their responsibilities to their States and our country as they see those responsibilities? Are they to accept as all-pervasive the undoubted wisdom of the President and the executive branch of the Government? Or are they to think for themselves and speak for themselves?

Are they to be more concerned with how words will sound abroad, and so hold their peace? Or must they, even more, seek to dispel any uncertainties of the people of the Nation as to the course which this Government is pursuing, and to seek to do so by examining the issues which underlie that course? Are they to wait until they hear what the Department of State has to say on the matter and then parrot agreement? Are they to wait to hear what Mr. Khrushchev has to say, so that they may be sure that what they subsequently say will be in disagreement?

I do not know what others may contend in this matter. I can speak only for myself. For myself, Mr. President, I can say only that when conscience compels me to speak, I owe it to the people of my State and our country to speak out. For myself, Mr. President, I hold that the most important matter is not how people abroad may interpret my words. Important as that may be, it is more important that the people of my State and our country understand fully what is at stake in this situation.

More important is the need of the people of the United States to be satisfied that the course to which they are committed by their Government is a sound one. If they are to be asked to give their lives, as well they may be, then the course of this Government must represent the outgrowth of policies which reflect the deepest needs of the people of the United States. They must be policies which are, in fact, the best that can be devised by this Government to safeguard the Nation and freedom, and to do so, if possible, in peace.

Mr. President, to those who say we may upset people abroad by our discussions, I can only reply that we do not fool anyone abroad if we fool ourselves at home. The unity of the slogan may well be no unity at all. It may well be merely the facade of unity; the Communist, the totalitarian concept of unity.

The unity of free men needs to rest on firmer ground. For the grim days which lie ahead in Germany, this Nation needs the unity which can come only from an under-

standing of where we stand, where it is we are headed, and why. To stand fast in Germany, as indeed we must, we need to think carefully, to think deeply, and we need to do it now. We need to speak out seriously, soberly, and we need to do it now. The time to examine policies is before, not after, their consequences are upon us. I emphasize that point—before, not after—as in Korea a few years ago.

POSITION ON MR. DULLES

Mr. President, I yield to no one in my appreciation of the enormous burdens of the Secretary of State and his Department, charged, as they are, with primary responsibility, under the President, for the Nation's policies. I believe the record of my position in this matter is very clear. I regard Mr. Dulles, as I have since I have known him, as an able and a dedicated civil servant. I have endorsed many of the policies which have been pursued since he took office. I have worked with him closely, very closely, on several of these matters. I have never felt, however, that this constrained upon me a silence when I disagreed; nor, I am sure, did he. I favor the continuance of Mr. Dulles in office now, not out of any sentimentality, but because I believe that if his health permits, Mr. Dulles is capable of making an extremely significant contribution to the security of the Nation and to the search for peace, particularly at this time.

I do not believe in the concept of the indispensable man. However, I do believe that there are times when a man may become virtually indispensable. Because of what Mr. Dulles has done over the past several months, especially during the past several weeks, in going to Western Europe and discussing the Berlin and German matters with our allies, and because of his great capacity, his great knowledge, his great ability, and the leadership which he has displayed, insofar as the Berlin and German situations are concerned, he is in a very large sense indispensable.

I hope that any conferences covering these two questions—because they are interrelated—will be held in Washington, where we can make use of Mr. Dulles' capacities and abilities, to advise and lead the West.

In the last analysis, whether his health will permit him to make that contribution is for the President, the Secretary, and his doctors to decide, as the President so cogently pointed out in his press conference of February 25, 1959.

Let me emphasize, however, that because Mr. Dulles is ill is no reason for declaring a moratorium on a frank and full discussion of the Nation's policies in the light of the critical situation in Germany. If I know Mr. Dulles at all, he would be the first to recognize the need for this discussion to continue. He would be the first to denounce any ghoulish political profiteering on his illness in order to silence this discussion.

There are those who have expressed confusion as to how I can support Mr. Dulles' continuance in office and still criticize some of the policies executed under his name. I can only say that it is not the first time, and I hope it is not the last. We shall have reached a very low point, indeed, in the practice of free and responsible government when a Senator has no choice but to agree 100 percent with a Secretary of State or to hang him in effigy.

I intend to go on as I have in this matter. I shall endorse the foreign policies of this administration when I believe they are sound policies. I shall try to contribute constructively to their reshaping when I believe that they are not—I repeat the word "constructively," because I have always tried to operate constructively. That is a position, Mr. President, which I have maintained since I entered this body, and also during the 10 years prior thereto when I served as a

member of the Committee on Foreign Affairs of the House of Representatives. It is the position I propose to maintain so long as I am in the Senate. I shall maintain it regardless of the party which is responsible for the administration of the Nation's affairs.

ATTITUDE ON MR. KHRUSHCHEV

Further, I propose to say what I have to say when I have to say it, irrespective of Mr. Khrushchev's threats or blandishments. It is, to me, a matter of indifference whether Mr. Khrushchev agrees or disagrees with me. I hope this Government, Mr. President, will never, out of a timorous feeling that Mr. Khrushchev may disapprove, fail to stand for what it must stand for. Equally, Mr. President, I hope that this Government will never fail to act as it must act out of an even more timorous feeling that Mr. Khrushchev may approve. What I said on this point on February 12 I believe bears repeating. I said then, and I say again today:

"If we are to be prepared to face this crisis in Germany, it will be best not to become distracted or obsessed by the twists and turns of Soviet behavior. The fundamental question of policy for us is not so much what the Russians are looking for in Germany. We know what they are looking for and they may very well seize it while we amuse or fascinate ourselves by trying to interpret the charades of Russian behavior."

No, Mr. President, it is more important to us, far more important, to know what we ourselves are seeking in Germany. We must bring to this crisis not only courage, but also conviction. We must bring to it a positive and understandable policy which meets our essential national needs and the essential needs of freedom, and, if possible, meets them in peace.

It was that thought, Mr. President, which prompted me to list nine points for exploration in a search for a positive policy on Germany last February 12. Some of these points were then, or at least have since become, a part of the present official policy of the United States. Others are not a part of that policy. They represent what, to me, seem rational approaches to various aspects of the problem of Germany. In great measure, they are not original except in their restatement, as my inserts in the CONGRESSIONAL RECORD of February 16, 1959, will show. But for their restatement in the context of the speech, I wish to make it clear that I claim full responsibility.

RECAPITULATION OF THE NINE POINTS

Mr. President, I should now like to review the nine points and to discuss their status in official policy at the present time, as well as certain of the comments which have been made upon them. On February 12 I said:

"I can be wrong, and I stand ready to accept a better illumination of the problem through discussion and debate in the Senate."

I say that again. I may add, however, that little which has since transpired or has since been said prompts me to modify these points in any significant degree.

Point 1: There must be no retreat of the forces of freedom at Berlin. Mr. President, I said that, not once, but at least six times during the course of my remarks on February 12. Weeks before that date, I had publicly endorsed a draft Senate resolution which would have upheld the position of the administration to stand fast. That, I may add, is the only resolution on the German situation which I have endorsed so far.

So far as I know, there has not been any significant difference among Democrats and Republicans, or between the Senate and the executive branch of the Government, on the need to stand fast at Berlin. Certainly there never has been on my part.

Point 2: The German leaders of the two Berlin communities should be urged to be-

gin serious efforts to unify the public services and municipal government of that city. I know, Mr. President, that there are those who will say this approach is illusory and unrealistic; that the East Germans cannot be expected to agree even on a common sewage system, let alone on a common municipal government. I would point out in reply, however, that if Berlin does not have a common sewage system, it does have a common subway system. If the German leaders of East and West Berlin can agree on that, as they have, is it beyond the realm of the possible that they may agree on other common public services, particularly if they mean to have peace; or that they may reach a series of agreements which might ultimately lead to a single municipal government for the city? I must ask: What stands in the way of an initiative of this kind? What will be lost by trying to bring about this progress toward municipal unity in Berlin? If we mean to have peace, I believe the effort should be made. It should be made not only to ease the danger of war at this most critical point in Germany; it should be made, too, because if it is successful, out of the microcosm of Berlin could emerge patterns of unification for all of Germany.

Berlin, of course, is an aspect of the whole problem of German unification but it is also the most pressing and compelling aspect. It is at Berlin and along the routes of access to that city that the danger of conflict is greatest. In that sense it requires the most immediate attention, even if solution to its problem of unification may be merely by means of interim solutions, pending the outcome of the whole problem of German unification. So far as I know, Mr. President, at present we are doing nothing, in an official sense, to bring about an attempt at municipal unity in Berlin.

Point 3: The conciliatory services of the United Nations and, particularly, of its Secretary General, should be enlisted, to try to develop an all-Berlin government. If such a government does emerge in the municipality, then a United Nations emergency force should replace both Communist and Allied forces in maintaining free access to the city from all directions, pending a general settlement of the German problem.

So far as I know, Mr. President, no official steps have been taken in this direction. There are hints, Mr. President, that if trouble does develop at Berlin, then the matter will be taken to the United Nations. I would deem it a welcome change, Mr. President, for once to bring the United Nations into an international puzzle before, not after, the pieces have been hopelessly scattered.

Those in the Senate who saw fit to comment on many parts of my last statement generally refrained from comment on this point. I am not prepared to conclude, however, that in Germany at this time there is no possible constructive role for the United Nations and the Secretary General. I believe that there is something to be said for an attempt to bring the United Nations into the situation, now, in the role of fire-prevention, not merely later, in the role of firefighting. For my part I would much prefer to see the whole city of Berlin neutralized on an interim basis, under United Nations auspices, if that can be obtained, rather than to have East German agents of the Soviet Union stamping the permits of Western allied transports to West Berlin. We cannot know whether such an arrangement can be obtained until we try to obtain it. And even if we cannot, what shall we have sacrificed by trying?

Points 4 and 5: Unless a unified, neutralized Berlin under United Nations' auspices is established as an interim measure, then Western forces must remain in Berlin, regardless of whether the Russians leave. It is time to think seriously, however, of replac-

ing as rapidly as possible the thousands of non-German allied military personnel in Berlin with West German militia.

Here, again, Mr. President, I find in present policy nothing comparable to this suggestion. Present policy says, in effect, that the Russians must stay in Berlin—in spirit, if not in body. Apart from the fact that I see no practicable way to make them stay in either body or spirit if they wish to go, I am most reluctant to go along with a policy that seeks to require the Russians to stay anywhere westward, if they propose to take even a few steps backward—eastward.

I am fully aware that their going may complicate our remaining in Berlin. We shall be face to face, then, with East Germans. They will be Communists, to be sure—but, nevertheless, Germans, not Russians. The allied forces may well be compelled, in the last analysis, to face them, if we mean to stay in Berlin at all costs.

It was an awareness of this probability, Mr. President, which prompted me to suggest that it is time to think seriously of replacing the thousands of allied military personnel in West Berlin with West German militia. If there is to be a loss of life among East Germans, in order to preserve what is, in the last analysis, a West German position even more than an allied position in Berlin, then it seems to me best that the allied forces move as quickly as possible to the reserve, even as the Russians intend to do on the other side. This is not a matter of "passing the buck." It is a matter of recognizing that among Germans, as among others, blood may well prove thicker than ideologies.

It will be a tragedy if men must die in this situation in any event. It will hurt the cause of freedom in Germany even more, however, if the Germans who may lose their lives in a limited conflict for access to Berlin lose them by the action of foreign forces.

I know, Mr. President, that there are grave risks in using West German forces in this fashion. Once injected into the situation at Berlin, it is difficult to foresee the contingencies which may subsequently arise. That is why I said it is time to think seriously of using them, not that it is time to use them. The risks must be weighed in the light of all the information and estimates available to the Executive. They must be weighed against the countless risks of trying to preserve, with allied forces, a status quo in a situation which will change, inevitably, once the Russians have left Berlin. There may be sound reasons for not taking this course of substituting West Germans for the allied forces at West Berlin. There are no sound reasons, however, for not exploring fully its implications within our own Government and with allied governments, or for failing to do so promptly.

Point 6: There must be a great deal of talk between Germans who are in authority in the Federal Republic and Germans who purport to be in authority in the Eastern zone.

This is the point, Mr. President, of which much has been made in comments on my remarks of February 12. It seems to me that a monumental issue has been generated here, although, in fact, no substantial issue exists.

The administration—the Western allies—have proposed talks with the Russians, at which each side might have German observers. In other words, East Germans and West Germans are both to be admitted to these talks on Germany, if the Russians accept the Western proposal.

Now, Mr. President, does anyone believe that in talks on the German problem, these Germans—East and West Germans—are going to do nothing but observe? No, Mr. President; they are obviously going to talk, the West Germans through the allied nations, the East Germans through the Soviet Union. If there is a difference between official policy and what I suggested in this respect, it is certainly a minor one. If I may

draw an analogy, perhaps I can make the difference clear. I suggested, in effect, that the Germans—East and West—go off into another room and try to come up with concrete proposals on the problem of German unification, which they would then lay before the Allied Powers and the Soviet Union, for approval and for guarantee.

Many of those who have commented on this proposal have said in effect: "No. That is a dangerous procedure." They have said—those who endorse present official policy on this point—that the West Germans must whisper in the ear of the allies what they think should be done about unification and the East Germans must whisper in the ear of the Soviet Union. Then, the Western allies and the Soviet Union will add their own thoughts and try, out of the conglomeration, to reach an agreement.

Mr. President, either way is agreeable to me. Out of my own limited experience at international conferences, however, I have my own views as to which way is likely to offer greater prospect for success. Those who now conduct foreign policy have theirs. I am more than willing to try their way if they believe it will work. I have a feeling, however, that before we are done with this matter of whispering in ears and the friction of no contact between the Germans, we shall be more than willing to try others.

Point 7: All-German elections may not be essential to peace and to freedom, but there must be some opportunity for the people of East Germany, as there is in West Germany, to express their political preferences and to participate in political affairs without terror. Unless there is, the search for peace can lead to the jeopardizing of freedom.

Here again, Mr. President, I do not believe there is a basic difference between the present policies of this Government and the view which I stated. The Secretary of State made clear, long before my speech of February 12, that all-German elections need not be essential as a first step in German unification. I do not know at what stage they would become essential, nor, with all due respect, do I believe anyone else does at this time.

The Secretary has recognized that reality, and I applaud his recognition of it. I say further, however, that unless the hand of political terror begins to lift in East Germany there is a danger to freedom in any form of unification which may be tried. While this point has not been explicitly stated by the Secretary, I am sure that those who are responsible for the conduct of foreign policy are not unaware of it.

Point 8: The Western allies and the Soviet Union must guarantee for a period of time the unified Germany which may emerge from discussions among the Germans. They must see to it that Germany is neither subjected to military pressures from its neighbors nor becomes a source of military pressures to its neighbors.

Again, Mr. President, there is no disagreement on this obvious point. It has long been a part of the policy of this Government to recognize that a peace treaty for Germany, which provides for the reasonable security needs of its neighbors, including the Soviet Union, is an essential of peace. One may differ with the way this objective has been pursued, but there are few differences as to its essentiality.

Point 9: It is essential that our policy, NATO's policies, do not exclude a careful consideration—may I repeat that word, "consideration"—of the Rapacki plan, the Eden plan for a demilitarized zone in middle Europe, or similar proposals in connection with the unification of Germany, predicated—may I repeat that word, "predicated"—or contingent upon the outcome of the conferences on surprise attack, and suspension of nuclear tests now going on in Geneva.

The Western Powers have indicated an interest in negotiating a European security pact. We are now seeking an agreement, at Geneva, on the problem of nuclear testing and the prevention of surprise attack.

Further, I am given to understand that it is the policy of this Government to recognize that agreement is possible to exclude missile bases from all German soil. Similarly, that it is possible to thin out foreign forces in West Germany in return for a thinning out of Soviet forces in East Germany.

If that is the case, Mr. President, there is no basic incompatibility between the essentials that I listed and what official policy is prepared—I repeat that word, "prepared"—to do. The objective is the same. I reserve the right, however, to examine subsequently the way we are going about trying to reach it.

SIMILARITIES BETWEEN OFFICIAL POLICY AND NINE POINTS

The differences between what we are doing, as a matter of official policy, and what I suggested as the essentials of a positive Western policy on Germany, are not numerous. In official policy—without a shadow of a doubt on the part of anyone, either Democrat or Republican—we are committed to stand fast at Berlin. We are committed to the participation of Germans of both zones in the discussion of the problems of German unity. We are committed to explore ways other than all-German elections, at least as a beginning of the solution to the problem of German unity. We are prepared to consider proposals which seek to limit certain types of weapons and the alien military forces in both parts of Germany within the framework of all-European security arrangements. With these essentials, Mr. President, I expressed substantial agreement in my remarks of February 12, although I may differ in particulars with respect to the way they are being presently pursued.

DIFFERENCES WITH OFFICIAL POLICY

The basic points at which I diverge from what is present official policy, I believe, are these:

First. Official policy, in effect, says that the Russians cannot leave Berlin or the routes of access to the city from the West; certainly, that they cannot leave in spirit and, perhaps, not even in body. For my part, I would have no particular desire to see them stay, in body or in spirit, even if they could be persuaded from going, which I doubt.

Second. Official policy does not seek actively to try to bring about a unification of the municipal services and government of the two Berlins at the present time. I believe that effort should be made.

Third. Official policy does not seek to enlist the United Nations in the Berlin crisis at this time. For my part, I believe it is high time that this be done; particularly, that the conciliatory services of the Secretary General be sought.

Fourth. Official policy gives no evidence of considering replacing the thousands of Allied forces in Berlin with West Germany. If we are not going to move or cannot move in the direction of trying to bring about the unity and interim neutralization of all Berlin through U.N. conciliation, then, I believe, for the reason I have already stated, we must give serious consideration to making this replacement.

CONCLUDING COMMENTS

Finally, Mr. President, I must bring to the attention of the Senate the testimony of Gen. Maxwell D. Taylor, the Chief of Staff of the Army before the Senate Disarmament Subcommittee on February 2, testimony which was released only last weekend. The general said, in effect, that there must be total mobilization of this Nation if we are to resist force in Berlin. I must ask: What

is being done to bring about this total mobilization, or are we to assume that it will not be necessary?

I hope deeply, Mr. President, that force will not be brought into play at Berlin but there is no certain promise in present circumstances that it will not be. I reiterate my belief that if there is to be a chance to avoid its use, "a Western initiative for peace is essential."

The points which I raised in my remarks on February 12 were designed to indicate a possible direction for that initiative.

Of equal importance with the desire for peace, Mr. President, is the energy and forbearance with which this Government pursues this great need and desire of mankind. Of greatest importance is a national leadership which acts positively for peace.

If the President leads in that fashion, he will find the people of this Nation and the people of the free world will be solidly behind him.

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

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I should like to take this opportunity to express my appreciation, and I know the appreciation of the Senate, for the very fine job the Senator from Montana has done in bringing this question before this body and the country and in developing it in such a logical and effective way as he did today and as he did on the previous occasion. I regret very much that illness prevented me from being here on the occasion of the previous speech on this subject by the Senator from Montana. The Senator has already inspired a great deal of very fruitful discussion of this issue, and I think the country and the Senate will benefit immeasurably from the efforts of the Senator from Montana. I wish to join all the other Senators who have complimented the Senator from Montana for his efforts, which have contributed so much to better understanding of this problem.

Mr. MANSFIELD. I thank the distinguished chairman of the Committee on Foreign Relations. I recall to the Senator's memory that we came to the Congress together in 1943, and since that time we have had a fairly close relationship in the foreign-policy field. Of course, I am indebted to the Senator from Arkansas, the chairman of the Committee on Foreign Relations, for his kind words, for his unflinching understanding, and for his tolerance and strength over the years gone by.

Mr. President, I now wish to turn to another subject.

The PRESIDING OFFICER. The Senator from Montana has the floor.

PROSPECTS IN GERMANY

(Speech of Senator MIKE MANSFIELD, of Montana, delivered at annual dinner of Alumni Association of Law School, New York University, New York City, held at Waldorf-Astoria Hotel, New York City, Wednesday evening, April 8, 1959)

In a few weeks a conference on Germany will be held in Geneva. It will be a conference of the foreign ministers of the Western Nations and the Soviet Union. Free Germans of the West and Communist Germans of the East will be present. This conference is likely to be followed by another in the summer—a conference of President Eisenhower and other Western heads of state and Mr. Khrushchev.

We may expect that these two principal conferences will be supplemented by a great deal of diplomatic exchange and other contacts at all levels and in various combinations. There will be meetings among representatives of the Communist nations. There will be meetings among representatives of the free nations. There will be meetings between the free and the Communist. In short, we are in for talk, a great deal of talk in the days ahead.

PROCEDURES AND THE COMING CONFERENCES

We may anticipate that there will be disagreements—serious disagreements—even before the stage of negotiating the problems of peace is reached. There will be arguments over who should talk and who should not; whether talk should begin at the summit and echo down to the base or begin at the base and rise up to the summit. Some of these arguments, indeed, have already taken place. There will be others.

Let me say that I appreciate the importance of these preliminaries. The manner in which they are dealt with will have an effect on the prospects for peace. It is important that procedural questions be discussed fully. It is equally important, however, that they be discussed with one object in view—the facilitating of sound agreements for peace. Procedural questions are not or ought not to be wrangled over for the purposes of face saving, propaganda, or the evasion of responsibilities. Let us recognize, by all means, that procedural questions are important. But let us recognize, too, that the basic procedural problem which confronts us is not who talks with whom and when. Rather it is: What kind of talk is likely to produce meaningful agreement?

I believe it is reasonable to say that decent men and women—in Russia or in Poland no less than in the United States or the United Kingdom are not interested in propaganda conferences or face-saving conferences. They are not interested in conferences which merely restate platitudes on the virtues of peace. They are interested in conferences which will get on with the business of peacemaking. They will expect of those who participate in these conferences less concern with the problem of saving face and more with the problem of saving civilization. They will pray for the success of these conferences wherever they meet, whoever may participate in them, whenever they are held.

OBJECT OF THE COMING CONFERENCES

When we speak of praying for the success of these conferences, we ought to have clearly in mind some concept of what we mean by success. Do we mean the kind of success which characterized the Geneva Conference in 1955? That Conference produced pleasant generalizations on the virtues of peace. A year later, however, we were back to business as usual, to the business of propaganda war and cold war. Now, 4 years after Geneva, we are without tangible achievements for peace. On the contrary, we are entering the most critical period of international relations since the Korean conflict.

Nor can we mean, when we pray for the success of these impending conferences, peace at any price. I do not believe the people of this Nation are prepared to sacrifice the future of their children in freedom for a moment of surcease from the pressures and tensions of life today on the brink of war.

No, I do not think we mean either of these alternatives when we say that we pray for the success of these conferences. I believe that we mean we hope for progress toward sensible agreements which will permit us to live and to let live, which will substitute competition in the realm of ideas and human achievement for competition on the battlefields, which will reduce the dangers of hostility among nations now glaring at each other across the black and bottomless pit of nuclear war. In short, we hope for agreements which promise some measure of stability for all mankind. We hope for agreements which will reduce the likelihood of armed conflict not only for today but for tomorrow and tomorrow. We hope for agreements which at least will begin to remove the residual injustices of World War II and its chaotic aftermath—injustices which, almost 15 years later, still press upon the backs of the peoples of many lands.

It is one thing to hope, in these terms, for the success of the coming conferences. It will be another to bring the hope to fruition. In international aspirations as in human aspirations, there is, inevitably, a gap between what we would like to do and what we are likely to be able to do.

The best chance of closing this gap, I believe, lies in approaching the impending conference with neither an excess of expectation nor with a cynical disbelief in their prospects of yielding anything constructive. What we need most in the days and weeks of talk which lie ahead is a clear and a specific understanding of what it is that we want to bring about by these talks. We need a positive purpose which is adjusted to the realities of the existing situation in the world. We need ideas, new ideas, realistic ideas, which may help us to realize this purpose. It is important to remember in this connection that in the realm of international negotiation, the search for all is likely to yield nothing. The intelligent pursuit of what is reasonable may lead to more than we dared hope for.

THE NEED FOR THE CONFERENCES

Before we can clarify our purposes in the impending conferences, it is essential to appreciate the origins of these conferences. Why, we may well ask ourselves, is it necessary to talk with the Russians at all at this time, about Germany or any other subject for that matter? Has Mr. Khrushchev compelled the West to meet? Are we merely responding, reluctantly, reticently, to a changing whim in Soviet policy? Are we going into these conferences as though they were some evil Communist brew which we have no choice but to drink?

If that is our concept, if we see the origins of the conferences in these terms, then I say, in all seriousness, that it is preferable not to go into them. We do not have to drink of the cup that is proffered. If we can conceive of our participation in these conferences as nothing more than a submission to Soviet threats or an entrapment by Soviet blandishments then I say again it is better not to go into them; it is better, not to delude ourselves.

Seen in these terms, the conferences will yield nothing worth the having. They may produce propaganda. They may produce platitudes. They may save faces. They will not produce a worthwhile basis for durable peace in Germany and Europe or anywhere else. On the contrary, they may rot even further the shabby platform which now supports the present dangerous international dance on the edge of destruction.

I want to suggest, however, that we need not appraise these coming conferences as merely a Western jump to the snap of the Soviet diplomatic whip. There is another way of looking at them. Some of us have looked at them in this other fashion for a long time, long before Mr. Khrushchev's recent maneuvers at Berlin. In this other light, the origins of these conferences are seen to lie in very different soil. Seen in this other light, the need for these talks is a need that has long existed. For some of us who have advocated an American initiative for peace, it is a source of regret that we of the West have appeared to wait for a prompting from the East to begin these talks.

For us, the origins of these talks do not rest in Mr. Khrushchev's recent statements. The need arises elsewhere. It arises from the vast changes which have taken place in the world during the past decade; more particularly the changes which have taken place on the European Continent; specifically, the changes which have taken place in Germany.

Let me point out some of these changes. Think for a moment of the monumental revolution in technology alone. In scarcely a decade, this technological revolution

has reposed in the hands of men, at once, the power to light new stars in the heavens and to put out the lights of civilization on earth. That change alone has a profound significance for all humanity and endless implications for the foreign policies of every nation.

There have been other changes of not much less significance. We have witnessed in Russia in the space of a decade the passing of the era of Stalin; the recovery from the devastation of invasion, and the rapid development of an advanced science and technology. We have witnessed, during this decade, vast upheavals within China and great transitions in the belt of nations—old nations and new—stretching half way round the world, from one end of the Afro-Asian world to the other. A billion and a half people have been torn loose from ancient moorings. These changes, too, have a profound significance for us, for the Russians, for the entire world.

In Europe, we have witnessed the comeback of a continent. Its people, in the West, at least, are no longer the stunned, war-numbered masses, which the liberating Allied armies found wandering in bewildered impotence, in the midst of the rubble and overwhelming devastation of World War II. The Europeans have revitalized themselves, their economies, their political life. What is true of all Western Europe is emphatically true of Western Germany. An old generation has recovered. A new generation has come of age, charged with new vigor, new ideas, seeking new and constructive directions.

Can we suppose for a moment that these changes—these vast, unmeasurable changes and others do not compel changes in the relationships among nations? It is obvious that they do; they alter the facts of the situation with which the policies of this Nation, of all nations, must deal if there is to be peace. Obviously, policies devised years ago, in another setting, cannot serve in the new situation which is evolving.

It is true that there have been some adjustments in the policies of all the principal nations to these changes. The question is: Are these adjustments sufficient; are they coming in good time? Unless they are, not only is there little likelihood of a genuine peace being achieved but even the unspoken truces which have, heretofore, cushioned the principal points of friction in the world, are endangered. In the light of the worldwide transition of the past decade these unstable truces must either be altered by reason, by negotiation, sufficiently and in time, or, sooner or later, they will give way in conflict.

One of these points of friction, of possible conflict, exists in Germany. In fact, it extends throughout Central Europe. It is in this region that the military power of the two nations capable of ultimate war—the United States and the Soviet Union—are in the closest of contact. It is in this region, too, that most of the residual injustices of World War II are to be found.

For years now an unspoken agreement, an unstable truce, has existed in this region. The shaky peace has rested on the avoidance of military incidents which go beyond the point of no return. It has rested on the acquiescence of the Germans, no less than the Western Powers and the Soviet Union in a divided Germany and a divided Berlin. It has rested upon the acquiescence of ourselves and the peoples of Eastern Europe in Soviet military domination of that region.

For years this has been the reality, despite talk of unification of Germany, despite talk of liberation of Eastern Europe, despite Soviet threats and blandishments.

It has been a tolerable, if not, exactly, a comfortable arrangement. What we have failed to reckon with, however, or at least

to reckon with adequately, is that the pressures of change in the world and, particularly, in Europe and Germany itself, have been building around this point whether we have realized it or not, whether or not we and the Russians chose to look at this reality. We have waited a long time to face this fact. I deeply hope that we are prepared to face it now and that it is not too late to face it now, in peace.

This, then, is the perspective in which the coming conferences ought to be seen. I repeat they may be worse than useless if they are regarded merely as an unavoidable Western response to a Soviet initiative. They can be a godsend if they are recognized by all concerned as an opportunity to begin to replace the outmoded truce in Germany and central Europe with something more durable, something better for all concerned.

If the beginnings of a stable peace in Germany and central Europe are to be drawn from the impending conferences, there will have to be a rethinking of many aspects of the policies which the Soviet Union has pursued in that region, which the nations of the West have pursued. There will have to be give and take, a quid pro quo, concession to match concession. We cannot, at this point, see the details of agreements but the signposts along the road to a rational settlement are beginning to emerge.

1. At Berlin, for example, we can see that there can be no one-sided withdrawal of the forces of freedom from the Western part of the city. That does not mean, however, that there can be no change in the status of that city. It means only that any change in the status of that city must be a total change, which leaves freedom in no less an advantageous position than communism. Perhaps this total change can be brought about through the interim neutralization of both free and Communist Berlin with the help of the United Nations and under its supervision, with free access to the city by all routes guaranteed by that body until Berlin becomes once again the capital of a united Germany.

2. There needs to be at least the beginnings of the beginning on the problem of German unification, with Germans of east and west contributing more, much more, than they now are doing to the solution of the problems of unification.

3. There must be some evidence of a willingness on the part of the Communists in control of the eastern part of Germany to accept and to extend the principles of the United Nations Declaration on Human Rights. In particular, there must be a beginning of the restoration of political rights to all in that zone, rights which can be exercised freely and not under the threat of terror.

4. There must be a willingness to accept the reality that Germany's peaceful ties with Western Europe cannot be ended except by the will of the German people themselves.

5. There must be an equal willingness, however, to accept the premise that the extent and nature of German rearmament is not sacrosanct, that it can be limited or altered in the interests of the security of all nations.

6. There must be a willingness to accept the premise that the numbers of foreign troops, and the nature of their armaments in Germany and in central Europe is subject to negotiation on a give-and-take basis. To this end, the Eden and Gaitskill plans and the Rapacki plan all merit the closest consideration, provided, I repeat, provided that there are reasonable agreements in the Geneva conferences on the control of nuclear testing and the prevention of surprise attack.

May I say that the points which I have just enumerated are not new. Others have alluded to them. I believe that in part at

least they represent the direction in which the Secretary of State was trying to lead the Western nations when he was stricken. I reiterate tonight what I have said many times, that his illness represents a most serious loss to the cause of freedom and of peace and that I hope deeply that he will recover in time to make his advice, his leadership, and his guidance available.

May I say, too, that the points which I have just enumerated as signposts of peace are drawn from the same nine points which I made in a speech in the Senate 2 months ago and have repeated in whole or in part on several occasions since that time. I have not altered those points in any significant way because I believed them and I believe now that they indicate the way in which the search for a more durable peace—a worthwhile peace—is likely to prove most fruitful. The discussion which has followed my remarks in the Senate and elsewhere has been very useful. It has helped to clarify and to elaborate. Most of all, it has helped, I believe, to break the moratorium on new thought on this critical problem of the Nation. This thought in connection with the German crisis is coming before, not as in Korea, after the crisis was upon us.

STRENGTHENING THE PROSPECTS FOR PEACE

Let me consider, in conclusion, the prospects for peace in Germany and what can be done to strengthen them. I think it is essential to emphasize that peace in Germany depends not on us alone, not on the Western nations alone but on the Soviet Union as well. If the Soviet Union does not seek peace then there will not be peace. It does not follow, however, that even if the Soviet Union does seek a durable settlement in Germany and central Europe that one will automatically emerge. Peace is a two-way street and we are on one side of it.

We will endanger our own position and the prospects of peace if we become obsessed with the fascinating game of interpreting the ever-changing charades of Soviet policy. These charades may mean peace. They may mean war. They may mean neither peace nor war. We can only assume as certainty that at any given time they can mean any of these possibilities and that we must be prepared to face any of them. What we can do, beyond this, if we would increase the prospects of peace, is to get clear in our own minds why it is that we stand firm in Germany, as indeed we must. We stand firm, not as an end in itself. We stand firm in order to go forward toward a durable peace. If there is to be peace, we, no less than the Russians, shall have to put aside the dangerous toys of the propaganda war, and the chips on the shoulders of the cold war. We shall have to put aside both the grins and the frowns. We shall have to examine and to examine deeply the problems of peace and see what it is possible to do with them in the light of the new realities of the situation which confronts us. We shall have to apply to these altered problems, new ideas. We shall have to bring to these problems a renewed determination to respond to the deepest desire of our own people and of all mankind, a new dedication to the search for progress toward a durable peace.

THE PROBLEM IN GERMANY

(Speech of Senator MIKE MANSFIELD, of Montana, at the bicentennial world affairs forum of the Foreign Policy Association, held at the Hotel Penn Sheraton, Pittsburgh, Pa., May 1, 1959)

The problem which confronts us in Germany is a segment of the worldwide problem of establishing equitable, rational, and evolving, conditions of peace. Today the crisis looms in a divided Germany and a divided Berlin. Tomorrow the scene of principal danger may shift to the Middle

East. The day after it could be in the Far East that the clouds of conflict gather.

Since the end of the Second War we have lived with a succession of international crises in these and other regions of the globe. It is as though the world were a vast and dangerous mine. We have rushed from one point of imminent or actual cave-in to another in a never-ending struggle to shore up the sagging roof of peace. We have timbered with a Berlin airlift, with a military defense of South Korea, with vast aid programs in Europe, Asia and elsewhere, with troops in Lebanon and with naval power and other measures in the Formosan Straits.

These costly and strenuous improvisations represent our efforts to prevent a complete collapse of peace. It is doubtful, however, that what these measures have produced in the principal zones of danger—in Germany and central Europe, in the Middle East and in Asia—this patchwork of timbering on which the fate of civilization rests—would meet a minimum safety code. The fact is that a dangerous world, no less than a dangerous mine, is not made safer, in any permanent sense, by patchwork. Improvisations may be unavoidable, as interim measures, as desperate measures. They ought not to be confused, however, with peace. On the contrary, improvisations may conceal an encroaching danger to ourselves and to the rest of the world by creating the illusion of stability, by permitting the postponement of essential, fundamental changes until it becomes perilously late to make them.

Something of that sort, I believe, lies at the root of the present problem in Germany. For years now, there has existed in that nation a kind of surface stability.

This is the appearance of that stability. In Western Germany, which houses about 50 million Germans, the responsible, representative government of the Federal Republic, its capital in the city of Bonn, functions with a high degree of effectiveness. West Germany has one of the most productive and dynamic industrial economies in the world. It also has the substantial beginnings of a powerful German military establishment. Beside this establishment, there are garrisoned over 275,000 other NATO troops—French, British, and American—many with their dependents.

To the east of the Federal Republic is a Communist-held German territory, much smaller in area and with a population of only 17 million. Many Germans regard this region not as East Germany but as Central Germany, having in mind the Polish-annexed territories beyond the Oder-Neisse as the true, the unredeemed east. For our purposes tonight, however, I shall speak of the region as East Germany or Communist Germany. In this sector of the divided nation, there is poverty, stagnation, and oppression from which vast numbers have fled to the West in recent years. Increasingly, however, we hear reports of plans, if not the beginning, of an economic revival in the East.

There is Communist rule in Eastern Germany. A German totalitarian regime exists there by virtue of its own and Soviet power and the acquiescence, however sullen, of the East German people. As in the West, a German military establishment has been reconstituted in the East, under Communist control. It is supplemented by many divisions of Soviet Russian troops.

This brief sketch of a divided Germany also fits in microcosm, with some variations, the present situation in a divided Berlin. A principal difference is that Allied and Soviet Russian forces still retain tangible, visible responsibility for what happens, respectively, in the Western and Eastern sectors of the city. Garrisons of both are present and the Russians control the routes through East Germany over which French, British and American forces must pass, from

their bases in West Germany to their outpost in Berlin.

Under the ultimate control of the Allies, West Berlin has its own municipal government with Willie Brandt as its able outspoken mayor. Under Soviet control, a sector of East Berlin—Pankow—serves as the seat of the Communist East German regime.

Among Germans of the two zones of the divided nation and the two parts of Berlin there is a considerable contact, official and unofficial, in trade and in other matters. There is no formal recognition, however, of the one by the other. In fact, of all the principal countries involved in the German situation only the Soviet Union recognizes both the West and East German governments.

That, in brief, is the look of stability in Germany. The arrangements which underpin this stability are those which evolved at the end of World War II. They were designed originally for the temporary occupation of a defeated Germany. But what began as an expedient took on a kind of permanence with the breakdown in relations between the Soviet Union and the Western nations.

All around the rim of Germany changes have taken place. Within West Germany and East Germany, respectively, changes have also taken place. But between the divisions, the arrangements for stability have not changed in essentials for years.

All of the nations involved have recognized at one time or another that these arrangements are inadequate. We and other Western nations have said, in effect, that they must be changed. The Soviet Union has admitted that they should be changed. The German leaders—East and West—know that sooner or later they will be changed. All involved have paid at least lip service to the basic requirements of change, that is, to the need for reunification of Germany and of its capital of Berlin and to the need for a final liquidation of World War II.

However, no nation has really moved from the position it assumed years ago on how these admittedly necessary changes should be brought about. The Western position has been based, at least until recently, on the contention that there should be free all-German elections as the prerequisite to reunification and a peace settlement. The Russians have been vague on this matter but it is apparent that even if they use the same language as we do, they do not mean the same things. They clearly do not accept a unification of Germany by free all-German elections, if it means, as it would at this time, the obliteration of German Communist political influence in East Germany. It may be that they are not really prepared to accept unification under any circumstances unless it means the domination of all of Germany by communism.

In the meantime, all have managed to live with the existing arrangements, with a divided Germany and Berlin, part free and part Communist, with a Germany no longer at war but not yet fully at peace. On only two occasions have these arrangements been seriously challenged. They were hit by the Stalin-imposed blockade of Berlin in 1948. Then, in 1953, the Communist political structure in East Germany was shaken by worker uprisings. Both attempts, as you know, failed. The Western nations committed enormous resources in the Berlin airlift and in the supply and reconstruction of West Berlin. Finally, Stalin was persuaded to abandon his attempt to force us from the city and to unify it under Communist control. The East German revolt which we supported with very articulate enthusiasm was suppressed by Soviet military power and the hope of a spontaneous unification of all Ger-

many under freedom, in that fashion, was set back.

Since 1953, the status quo has not again been subjected to a major test anywhere in Germany. To be sure, there have been incidents which have sent tremors through the stability but they did not upset it. Just last November, for example, Mr. Khrushchev warned that he would change the status quo at Berlin. He did not schedule the execution of the change, however, until this month. Now, apparently, it has been postponed, pending the results of the coming conferences.

In short, the German situation is still held together by the same provisional, improvised arrangements which have held it together for years. These arrangements are tied to certain basic conditions, conditions which must prevail if the stability in Germany, in its present form, is to continue. We must see clearly what these conditions are if we are to measure the scope of the problem which confronts us. Let me, therefore, outline them at this point.

First, the present stability in Germany depends upon the absence of decisive accidents of provocations between the military forces of the West and the Soviet Union. It is conceivable that there may be hostile or threatening contact between these forces, as indeed there has been, without a collapse. This contact, however, cannot go too far. At some undetermined point, military accidents or provocations are likely to set off a chain reaction which will engage in a decisive fashion the prestige—the face, so to speak—of the principal powers. At that point the irrevocable slide or plunge into the abyss of war will have begun.

That, then, is one condition of the continuance of the status quo in Germany, of the present stability which is neither peace nor war. There must be an absence of hostile accidents or provocations between the military forces in Germany which go beyond the point of no return.

The second condition is German acquiescence, the acquiescence of the people of the East as well as the West in the systems under which they now live. Let me say, parenthetically at this point that I do not suggest that this is desirable. I merely say that it is one of the factors which underlie the existing stability.

As a part of acquiescence, Germans must be willing to accept the continued division of their country, the continued presence of foreign troops in great numbers in their land and the military arrangements which join one segment of the nation to NATO for protection and subordinate the other to the Warsaw Pact.

The third basic condition of the status quo is that the Western Powers and the Soviet Union must also tolerate the existing division of Germany and the present arrangements for occupation of a divided Berlin. In short, if the German people must accept the status quo, the Western Powers and the Soviet Union must not challenge it; at least they must not challenge it with anything much stronger than words. Further, the peoples of the West must be prepared, as must the people of the Communist bloc to pay the ever-increasing costs of defense establishments and the instruments of cold war which are made necessary in part by the existing arrangements for keeping the status quo in Germany.

In stating these conditions, I emphasize again that I do not advocate them or subscribe to their desirability. I merely note them as underlying the present situation in Germany, as the conditions precedent to its continuance. These conditions are not the foundations of an equitable, rational, and evolving peace in Germany and central Europe. They are the patchwork timbering of an improvised truce. Nevertheless, they are the conditions on which the lives of the

German people, the people of Europe and, in a larger sense, the survival of a recognizable human civilization now depend.

If one of these conditions is changed in any significant fashion, I cannot see that the present situation in Germany is likely to persist. It seems to me that it must either evolve into something more durable, or it will collapse in the chaos of war, limited or unlimited.

Putting aside for a moment Mr. Khrushchev's announcement that he proposes to alter one of the conditions of the present stability, that is, the arrangement at Berlin, what of others? Can these others, in any event, be counted upon to support indefinitely the existing situation? I do not see how they can be. I believe that these other conditions have already changed markedly beneath the surface calm, that they are continuing to change and that they cannot change much more before the churning shall break through the surface.

In that sense, I am persuaded that the present stability in Germany was in the process of erosion long before Mr. Khrushchev's announcement last November. Indeed, I said so in the Senate many months prior to that time.

Let us look for a moment at the present state of these conditions of stability, these basic conditions which must prevail if there is to be no change in the German situation. Take the first—that there must be no military accident or provocation in Germany which goes beyond the point of no return. It is obvious that none, so far, has done so. But there have been grave near misses. The Berlin blockade was a massive near miss. Since that time there have been other incidents, provocations. I need not catalog them. You have seen reference to them time and again, to the buzzed transports, to the challenged convoys, to the downed planes, and the detained soldiers. I do not know which of these incidents may have been prompted by higher Soviet headquarters and which may have come about by the whim of some local commander. Given a conducive set of circumstances, however, it is far from inconceivable that any incident of this kind might go out of control.

Apart from deliberate provocation, there still remains the very real danger of military accident, if not on our part, then on theirs. The chances of accident multiply when forces are poised—as they are in Germany—at swordpoint and are keyed tight by the electrified atmosphere of cold war, of propaganda war. They multiply again as the countdowns of the new weapons quicken and their delivery times shorten. They multiply still again as these devices of incredible devastation find their way into more and more hands. In this sense, then, a basic precondition of the status quo in Germany has indeed changed, quite apart from any recent change in Soviet policy with respect to Berlin. It has changed in the sense that the margin for military error or provocation has narrowed. The prospects are, moreover, that the margin will narrow still further as time goes on.

I believe, too, that it is reasonable to suggest that the acquiescence of the Germans—East and West—the second basic condition on which the status quo rests, has also changed significantly and will continue to change. It is, of course, difficult to document the sentiment of a whole people. We are informed, however, that there is great unexpressed discontent in East Germany. We know, moreover, that there are movements for reunification and neutralization in Western Germany, even if we cannot measure their strength. We must assume that currents of a similar and probably stronger kind flow through East Germany even though Mr. Gallup has yet to conduct a poll in that region.

It is obvious that the defeated Germany, the disarmed Germany, the shattered, starving Germany for which the present improvised arrangements of stability were devised, no longer exists. As I noted earlier in my remarks, at least in one zone—in the West—there is a revitalized nation. Furthermore, in both zones, there now exist German military forces and political structures manned by Germans, even if, in the East, they may not be controlled ultimately by Germans. In both zones, finally, a new generation is coming into its own—a generation which was young in the days of defeat but which, now and in the years immediately ahead, will inevitably rise to leadership in Germany. In these circumstances, it would be unrealistic in the extreme to believe that the arrangements for stability which exist in Germany—devised in another hour and for another setting and modified only within each zone separately—will continue to serve for the indefinite future. In short, we must face the likelihood that the second condition of the status quo—the continued acquiescence of the German people in division and quasi-occupation may well be drawing to an end. We must reckon with the strong possibility that, increasingly, Germans will seek their unity and national equality by whatever means may be available if constructive machinery to facilitate it in peace and order does not exist.

As for the third basic condition on which the present stability in Germany rests, I have already noted that if we are to go on as we are, the Western nations and the Soviet Union must not challenge the existing arrangements with anything much stronger than words. In fact, except for occasional dangerous but limited military incidents and provocations, neither has challenged it, in any other fashion in recent years. Further I said that both the people of the Western nations and the Soviet Union must be willing to pay the ever-increasing costs of defense establishments and the instruments of cold war to keep a rough equilibrium of force not only in Germany but throughout the world. That, too, has been done until now, although I would be less than honest if I did not express my deep concern over continuing reports that the Soviet effort in this respect is greater than our own. I am not in a position to evaluate those reports. The official secrecy—necessary and unnecessary—which engulfs this question cannot be easily penetrated by Members of Congress. The disquieting reports, however, come from highly qualified and competent sources and they do not augur well for the future. They certainly raise doubts about the likelihood of maintaining the present stability in Germany or anywhere else for that matter.

Finally, the third condition of the status quo also depends upon the maintenance of the present arrangements at Berlin. We now know that these arrangements have been challenged. Mr. Khrushchev has assailed the Western position in Berlin and demanded that it change. He has done so, however, only in words and, in that respect, his challenge is not new.

What is new, what does threaten the status quo, is the strange action by which Mr. Khrushchev proposes to bring about this change. He proposes to withdraw himself from Berlin, that is, he says that he will remove Soviet forces from the city and from the routes of access to it. Our official answer has been equally strange. We have said, in effect, that the Russians cannot leave the city and the routes of access, that they certainly cannot leave it in spirit and perhaps not even in body. After trying for many years to get the Russians out of the areas into which they sprawled after World War II, here is one place that we do not wish them to leave.

The reason for this is clear. If the Russians do quit Berlin, they will turn over the instruments of control to East German Communists. That opens, for the Soviet Union, a large field of maneuver in the war of nerves. But in a more fundamental sense, the action will also work a change in the underlying conditions of the status quo in Germany. It will increase the strains and stresses on the essential military restraints which are a part of the present stability. It will do the same to German acquiescence which is also a part of it. In short, the entire German situation will move into a period of grave instability out of which is likely to emerge either a new status quo or conflict.

There has been a great deal of speculation on why Mr. Khrushchev has threatened to take this step. One may assume, of course, that Mr. Khrushchev has been motivated by what he believes will be ultimately to the advantage of the Soviet Union and world communism. I would hope that we are equally motivated by what we believe to be to the advantage of the United States and to world freedom.

What is significant at this moment, is not so much the ultimate aims of Soviet communism. We know what they are and it is of little value to intone them again and again as though this litany will somehow protect us from them. More significant is the question of how Mr. Khrushchev proposes to serve Communist interests through Soviet policies at a moment in history when the transcendent interests of civilization, and of the human species itself, rest in delicate balance between survival and nuclear obliteration.

No one who is not privy to the operations of Mr. Khrushchev's mind and the inner working of the machinery of Soviet communism can be certain of what lies beneath the Soviet maneuver at Berlin. The move could have been motivated by a combination of any of a score of reasons, some logical, some illogical, some groping toward peace, some stumbling toward war.

The interpretation of the charades of Soviet policy may be a fascinating game. As I have already noted, however, this game is essentially speculative. What seems to me most important at this point is not to guess at the obscure contents of the Soviet mind but rather to get clearly in our own minds what it is that we—the Western nations—seek in this situation. What is most important is to make certain that what we seek is reasonably related to the situation that exists in Germany today, not to one which we would like to exist or one which may have existed years ago and no longer exists.

If the interests of this Nation, of freedom and of human civilization lay only in maintaining existing arrangements in Germany, if Mr. Khrushchev's maneuver at Berlin were the only threat to these arrangements then, indeed, it would be sufficient to counter that maneuver merely by standing firm.

Is that, however, the case? I think it is clear that Mr. Khrushchev's maneuver at Berlin is not the only danger to the status quo in Germany. Further, I question whether an effort to maintain that status quo indefinitely is, in fact, in accord with the interests of this Nation, freedom, and human civilization.

To be sure, we shall stand firm at Berlin and in Germany. I know of no responsible person in the Government of this Nation who holds otherwise. I certainly do not hold otherwise. Moreover, I know of no statesman in the Western World who holds otherwise. We shall stand firm because to permit the forces of freedom to be frightened, cajoled, or driven from Berlin—the future capital of all Germany—will be to remove one of the props of the present stability in that country before another firmer support is in

place. Let us not, however, confuse the necessity for standing firm in that sense with a mere maintenance of present arrangements in Germany for the indefinite future.

I am not persuaded that the interests of this Nation, of freedom and of human civilization lie in an indefinite continuance of the present military situation in Berlin and in Germany, a situation which, increasingly, will permit an accident or an irresponsible local provocation to precipitate the suicide of civilization. I am not persuaded that these interests are served by perpetuating arrangements in Germany which offer little prospect of progress toward peaceful unification to the German people. I am not persuaded that these interests are served by the ever-mounting costs of the arms rivalry of the cold war, and the propaganda war—costs which are occasioned in great part by the existing situation in Germany.

What I am trying to suggest, in short, is that it is not enough, in our own interests, merely to stand fast in Germany, as an end in itself. It is not enough merely to seek to sustain an existing situation which is ceasing to be adequate for minimum stability in Germany and central Europe. Rather, we must stand fast in order to go forward, in order to establish more equitable, rational and evolving conditions of peace.

That is the challenge of the impending conferences on Germany. We must strive in them, it seems to me, to create a less volatile situation in Berlin, not merely by changing the Western position in that city as the Russians have suggested but perhaps by altering the status of the entire city, by internationalizing all Berlin under United Nations or other satisfactory international auspices as an interim arrangement. We must seek a readjustment of the military situation in all of Germany and central Europe in a fashion which promises to reduce the danger of war by accident or provocation. We must seek, finally, a beginning on the spread of full political freedom throughout Germany and on German unification and, to that end, we must enlist in far greater measure than heretofore, the participation of the Germans themselves—East and West.

I realize, fully, that we shall not get anywhere with negotiations to these ends if the Russians are not of a mind, in their own interest, to move in a similar direction. As I have said, I do not presume to know the contents of the Soviet mind at this time, nor do I know of anyone who does. I do know that regardless of Russian intentions we shall not begin to move toward these ends unless we ourselves are clear as to where it is we want to go. We require at this point in time, beyond all else, a frank recognition of the importance of a change in Germany, a change not in the manner expounded by the Russians and not necessarily in the manner first projected by ourselves years ago. Rather, we need a change which conforms to the realities of the present, a change brought about by concessions which match concessions. To this task, we—all the Western nations—must bring a new dedication, a new determination to develop equitable, durable and evolving conditions of peace.

ADDRESS OF SENATOR MIKE MANSFIELD, OF MONTANA, COMMENCEMENT EXERCISES, GONZAGA UNIVERSITY, SPOKANE, WASH., SUNDAY, MAY 24, 1959

INTRODUCTORY

I am very grateful for the honor which you have bestowed upon me today. As a former college teacher I have a deep respect for degrees. I know something of the mental energy, indeed, the agony which is involved in obtaining these academic distinctions. Moreover, having started my formal education somewhat late in life, I have never lost a certain sense of awe in the presence of those who are entitled to be called

doctors. To have had this honor given to me, today, without completing the necessary points, writing a satisfactory thesis, or passing the comprehensives, is like receiving an unexpected bonus. I am overwhelmed and thankful, more than I can say.

Another reason why I feel honored to participate in this commencement is because of the close collaboration, understanding, and friendship which has existed for so many years between my State of Montana and your university. It is my understanding that outside of the State of Washington, more of your student body comes from Montana than any other State. Many of your graduates of Gonzaga are close personal friends of mine and they have uniformly contributed greatly to the welfare and development of my State, our region, and the Nation as a whole. It is my sincere hope that this close relationship, which has existed so long between Montana and Gonzaga, will continue on the same basis and with the same results in the years, the decades, and centuries ahead.

I am also happy to have this occasion to deliver certain remarks to you on the international situation. You know, Spokane is just about the same distance from Peking, China, and Moscow. Since so many of our international difficulties in recent years have been associated with the emanations from these two cities, I think it most appropriate that we contemplate them from the detachment which a distance of something over 5,000 miles in either direction permits us.

Before I do so, however, it is with a sense of deep loss that I must inform you that the State Department has notified me of the passing of a great man and a close, personal friend, John Foster Dulles. History may judge a man's achievements but his contemporaries will know his worth as a fellow human being. John Foster Dulles was a man of wisdom, dedication, and patriotism. He was a good man, a good friend, and a great public servant. We are all better off for having known him. And our country and the free world are thankful and grateful that he served us so unselfishly and unsparingly. May his soul rest in peace.

THE GERMAN CONFERENCES AND PEACE

As you know, there is a Conference of Foreign Ministers in progress in Geneva. This Conference is likely to be followed in the summer by a meeting of heads of states. In short, we are embarked on what may prove to be extended negotiations in an effort to untangle the problems of peace which have accumulated in the wake of World War II. It is important to remember in this connection that in the realm of international negotiation the search for all is likely to yield nothing. The intelligent pursuit of what is reasonable may lead to more than we dared hope for.

We cannot foresee how long this process of negotiation may go on. Nor can we predict what it is likely to produce in the end. It is sufficient to the moment, however, if the negotiations represent a serious effort to make a start in cutting through the jungle of sterile slogans in which the problems of Germany and central Europe have been so long enmeshed. It is sufficient if a serious effort is made to find in this jungle the clearings of reason, the areas of adjustment of bona fide interests.

Negotiations on an international issue are never a simple process, and the problem of Germany is most complex. Sometimes, as we discovered at the opening of the Geneva Conference, it is even difficult to decide whether the negotiators are to sit at a round table, a square table, or at separate tables. Some of the issues which must still be dealt with are going to be, I can assure you, a lot more perplexing than that. At stake in the current negotiations may well be the future of many nations, the freedom of Europe, and the peace of the world.

The task which confronts our new Secretary of State in these negotiations, therefore, is one of the most demanding which can fall to any man in public life.

I have no wish to add to his burdens by anything that I may say here today or, indeed, at any time. Let me stress that I have every confidence in the ability, the experience and the patriotism of Secretary Christian Herter. This sentiment, I may add, is shared by the entire Senate. Just a few weeks ago we confirmed his appointment by a vote of 93 to 0, and the 5 absent Members were recorded in his favor.

When Secretary Herter, as the representative of the President, speaks in Geneva, he is speaking for all of us. Let there be no doubt on that score either abroad or at home. Under the Constitution, it is the President and his designated representatives who conduct the foreign policy of the United States. The Senate advises in this process and, in the last analysis, it must consent. It is the President, however, directly or through his representatives, who must speak and act on behalf of the rest of us.

That does not mean that Senators do not have, in their individual capacities or as a body, any concern in matters of foreign policy. On the contrary they have a responsibility to consider any problem which affects—as foreign policy does—the fortunes, the happiness, the very survival of the people of the United States. Senators have an obligation to inform, to debate, to try to make a constructive contribution to the solution of such problems. They have a clear-cut duty to speak out on these problems when conscience and reason compels, to speak out notwithstanding the fear of censure or the political attractions of silence.

May I say that many Members of the Senate have spoken out on the German situation in recent months and the impact of their words, I believe, has been felt in a constructive fashion in the basic policies from which we are now negotiating in Geneva.

I, myself, had occasion to advance certain ideas on Germany last February in the Senate. I did so because I was persuaded, then, that we were drifting dangerously into crisis through a reluctance to face changes in the German situation and a reticence to make adjustments in our policies to meet these changes. I have discussed German problems on several occasions since that time. I propose to speak of them again today. I do so because these problems are of special concern to you graduates. It is your generation which will bear the heaviest consequences of any failure of my generation to deal competently with them.

BACKGROUND OF THE GERMAN CONFERENCES

Let me point out at the outset that in present circumstances, there are several regions of the world in which there exists a serious potential of conflict. War can begin in the Far East. It can begin in the Middle East. It can begin in Germany and Central Europe, the area which I propose to discuss with you now.

I put this fact—this grim fact—to you bluntly. I do so because I am satisfied that as mature and responsible Americans you do not need to be spoon-fed on reassurances that all is right with the world. I do so, too, because I believe the tragedy of war is best prevented by facing its possibilities in a realistic fashion, by weighing these possibilities carefully, by acting on them honestly and in good time.

I will not hold out to you the comforting thought that nuclear war, being too terrible to contemplate is therefore too destructive to be fought. As a former teacher of history I find this thought—despite its considerable currency—completely illusory. It is unsupported by the historic experience of mankind.

War can come today as it has come many times in the past. It can come by the design of madness and aggression. It can come by accident or miscalculation, despite a basic desire of all to avoid it. It can be a limited conflict, as in Korea, or it can be of an extent which will reduce to radioactive ruin the legacy of several thousand years of human civilization.

It is against this background, it seems to me, that the present conference in Geneva and any others on Germany which may follow must be seen. The danger of conflict in the German situation is real. It will not be dissolved by ignoring the reality. It will not be dissolved by a breast-beating bravado. Nor will it be dissolved by protestations of peace on all sides, while the clouds of conflict continue to gather.

One cannot say at this time with any certainty whether it will be possible to end or even to reduce significantly the danger of war in Germany and central Europe. To find out the chances for doing so is, after all, the underlying purpose of the present conference.

It seems to me, however, that if there is to be a valid hope for a more durable peace, it is to be found in an accurate identification of the sources from whence the danger of war arises. Then, if the will to peace is present in all, or, to put it another way, if there exists a sincere desire on the part of all to continue to live in a recognizable civilization, there will be a common effort to abate, control or eliminate these sources. That common effort will take the form of frank and honest negotiations, negotiations which can produce conditions of peace through mutual restraint, through concessions which match concessions.

SOURCES OF CONFLICT IN GERMANY

Let me try first to describe for you the principal sources of potential conflict in Germany. It is a dangerous oversimplification, it seems to me, to see the danger of war in that country solely in terms of the diabolical doings of our opponents. That is a child-like or, if you will, a propagandistic interpretation of the facts of international life. To be sure the Soviet Union is ruthless in the way it strives to expel freedom from all of Germany. Indeed, the Russian rulers will leave, unturned, no stone which they can lift—not only in Germany but anywhere in the world in order to undermine freedom. In recognizing that, however, let us not overlook in all honesty our own desire to terminate Soviet influence in Germany and our own antipathy to communism wherever it may exist in the world.

To conclude that the Russians are the sole cause of the problem in Germany is to ape the practices of Soviet propaganda which have held that the problem is due solely to the machinations of the United States and other Western nations. A mutual finger-pointing of this kind may relieve feelings. It may fill both sides with self-righteousness. It does not abate the danger in Germany and Central Europe. The threat of war remains and it is a threat not only to the well-being of Russians but of Americans as well and, indeed, of all humanity.

We shall get closer to the reality if we see the problem not as a one-sided matter but, in part, as a mutual repulsion between freedom and communism, a repulsion which has led to a cold war fought largely without Marquis of Queensberry rules. That cold war, acting as it does, to keep a high state of tension in Germany is, indeed, one of the major sources of the potential conflict.

But let us go on from there. Let us recognize, too, that the danger of war also derives from the close and unstable contact of hostile and ever-more powerfully armed military forces—Western and Communist—in a divided Germany and, particularly, in a divided Berlin. The contact,

at any time, can produce as it has, local military incidents or clashes. It is far from inconceivable that such incidents, in this day of quickening countdowns, can precipitate a war of prestige, a war of accident which no nation really wants. It is risk enough when a war of annihilation can be set in motion by a calculated word from Moscow. It is risk beyond reason when it can be set off by the madness or misjudgment of any one of the many military commanders scattered through Germany.

Let us recognize, finally, that the danger of war in Germany derives in major part from still a third cause. It derives from the festering of a large collection of unsolved political problems in and around that nation. Principal among them is the continued division of Germany, 15 years after the war, and the continuance of a status for that nation which while it is no longer one of war is not yet one of peace.

These unsolved problems are related to the ideological struggle between freedom and communism. They are related to the present juxtaposition of the armed forces of West and East. Perhaps most important, however, they stem from nationalist fears, rivalries, hopes, and presumptions which have characterized international relations within Europe for generations.

All of these sources, then, contribute to the danger of war in and around Germany. Further, they pour their poisons into the relations among Europeans—East and West—heightening the estrangement between the two segments of the Continent and acting to perpetuate the injustice suffered by millions who are still denied genuine national equality and basic political rights in Eastern Europe. Finally in the world at large, they conspire with other sources in the Middle East and in the Far East to keep the human race continuously on the edge of disaster.

ATTITUDE TOWARD CONFERENCES

It is with these sources of conflict in and around Germany—all three of them—that the present conference and those which may follow must come to grips. Unless they do so they will serve little useful purpose. On the contrary they can do much harm.

As I have already noted the period of negotiation on which we are now embarked may end quickly or it may go on for a long time. It may produce results in terms of a more durable peace or it may fail to do so. I daresay that the people of the world will understand and appreciate an honest try at achieving agreement even though its success may be limited. They will not understand, they will not appreciate a distortion of these conferences which turns the deepest of human hopes, the hope for a secure peace, into a finger-pointing exercise in self-righteousness, into a search for the hollow victories of propaganda war.

I believe our Secretary of State is off to an excellent start in Geneva. His remarks have been temperate and restrained. They indicate clearly our earnest desire for fruitful negotiations. I wish that I could say the same for the attitude manifested by the Soviet delegate.

Nevertheless, it will be well to reserve judgment on current negotiations until all the results are in. That course seems to me best calculated to support the efforts of those who represent us at Geneva. That course is best calculated to aid in bringing about sensible agreements for peace.

POSSIBLE RESULTS OF THE CONFERENCES

Without straying from that course I believe it is possible to indicate to you the various directions in which these conferences can lead.

1. These conferences can lead—again, let me be blunt—they can lead to a dead end. There is no built-in guarantee of their success. They will certainly lead to a dead end

if propaganda advantage takes precedence over peace as the objective of any nation. They will certainly lead to that end if the words of conciliation are not encased in the acts of accommodation.

These conferences can fail, they will fail, if any nation seeks a unilateral victory in them. The fact of the matter is that either all will win, in the sense that they will strengthen their highest common interest in the survival of a recognizable civilization, or all will lose.

We will do well to recognize now the meaning of a failure of these conferences to us and to others. It does not follow that war will come the day after, a month after, a year after. It does follow that there is likely to be an increase in the tension in and around Germany, as well as elsewhere in the world. It does follow that the cost to all of us and to others of cold war and of armaments will rise. It does follow that an ever-increasing segment of the material and manpower resources of all nations will be diverted to military purposes. I may note in this connection that 61 cents out of every one of our tax dollars that was spent by the Federal Government in 1958 went to maintain the defenses of the Nation, and the fiscal experience of other leading countries is similar. It does follow, too, that if these conferences fail, the brink of war on which the world now walks is likely to become ever more narrow as the pressures of potential conflict, unrelieved, continue to pound relentlessly at the remaining footholds of peace.

2. These conferences can lead in a second direction. If they follow this path they will appear not to have failed. They might even appear to have succeeded and yet they will not succeed. To put it another way, they may follow the pattern of the Geneva conferences of heads of state in 1955. You will recall that meeting and its consequences. It produced what seemed to be solutions but what, in fact, turned out to be generalizations on peace. It produced a momentary abatement in the cold war and with it, a grave readiness on the part of free peoples to accept the illusion of peace as the actuality of peace. The real sources of conflict, scarcely touched at Geneva, continued to operate. And in the ensuing years we came very close to war in Suez, Lebanon, and the offshore islands of China. The cold war was resumed. The arms race intensified, with the West disadvantaged by its own laxity.

We shall repeat the pattern of Geneva-1955 in these current conferences only at the peril of heightening the danger of war in the future. We shall repeat it if we assume that the only threat to peace in the current crisis is Soviet pressure. The Russians may relax that pressure on Berlin for a month, 6 months, indeed, indefinitely. But if that is all that is produced by these conferences, the danger of war will not really be lifted. For as I tried to indicate at the outset the international problem in and around Germany is fed, not by Soviet diplomatic maneuvering alone but by multiple sources.

3. This suggests, then, the final direction in which these conferences can go. If the will to peace is genuine, if the negotiations are honest, however hard the bargaining, they need not end in failure. Nor need they end in an illusion of accord which masks a reality of discord. They can produce a pattern of evolving peace in and around Germany.

If you will recall the sources of conflict which I suggested earlier in my remarks, I believe you will see, readily, the nature of this pattern. There will be, not merely a momentary easing of Soviet pressure on West Berlin but a new interim status for the entire city of Berlin with a United Nations or some other form of international guaran-

tee of its security until it is once again the capital of all Germany. There will be arrangements which will provide for the progressive unification of Germany and a progressive equalization of the public rights and duties of all Germans—East and West. There will be a progressive easing of the danger of war which now arises from the close contact of Communist and free forces in Germany and from the accumulating power of the armaments—East and West, German and non-German in that region. There will be a progressive healing in all the relationships of the nations—East and West—of the divided continent of Europe.

May I say in this connection that I hope that the participation in the present meetings will continue to be limited to Russia, France, Britain, and the United States and the Germans of both East and West. This limited membership seems to me the best way to progress, at this time, on the immediate problems of Germany, and I believe Secretary Herter is quite correct in insisting upon maintaining the limitation.

However, I do not think it is too soon to begin planning for a larger all-European conference. It is in such conference that the representatives of Poland, Czechoslovakia, of Italy, Belgium, Netherlands, Denmark, indeed of all the European countries can make their voices heard on the problems of peace of Europe and, on other issues of primary interest to the people of that continent. I would hope, moreover, that in such a conference both the United States and the Soviet Union would remain in the background rather than in the foreground.

To return to the matter of the German conferences, I should like to emphasize that we cannot, alone, govern their outcome. We cannot, alone assure that they will move in a constructive direction. What the Russians do or do not do obviously will have a profound influence upon them. What the European nations, east and west, and the Germans, east and west, contribute to or detract from them—directly or indirectly—will have a profound influence on their outcome.

When that has been said, however, let us recognize that no single influence in these conferences will be greater than that of our country. Let us recognize that fact, not with arrogant pride but with a deep sense of humility, with a full awareness of the grave responsibility which it places upon us. It will rest heavily with those who speak for the Nation in these conferences—the President and the Secretary of State, to work with dedication to prevent these conferences from ending in failure. It will rest heavily with them to avoid creating the illusion of settlement when, in fact, there is no settlement. It will rest heavily with them to lead this Nation in concert with others toward agreements for an equitable and evolving peace in Germany. It will rest heavily with them to be less concerned with the problem of saving face and more concerned with the problem of saving civilization. If they do so lead they will not lack for support at home or from decent men and women throughout the world.

Mr. MANSFIELD. Mr. President, my purpose in asking that the addresses be printed in the RECORD is to gather together the series of speeches which I made on the German situation since last February 12. I appreciate the consent which has just been given me by the Senate for that purpose.

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. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

Mr. GORE. 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.

NOMINATION OF LEWIS L. STRAUSS TO BE SECRETARY OF COMMERCE

The Senate resumed the consideration of the nomination of Lewis L. Strauss, of New York, to be Secretary of Commerce.

Mr. MONRONEY. Mr. President, the Senate is presently engaged in a proceeding which I believe is an unpleasant one for most of us—certainly it is for me. No one looks forward to a debate which must involve comment on the character and qualifications of an individual, rather than upon a public issue which can be discussed impersonally. Unfortunately, the nature of the confirmation process is such that we cannot avoid such comment. We can only hope for the understanding that anything that is said which is derogatory to Mr. Strauss is said out of a sincere belief that it is required in the discharge of the duty which the Constitution places upon the Senate, and which the Senate has assigned in part to its committees.

I regret the repeated charge that those of us who voted in the committee against the confirmation of the nomination of Mr. Strauss did so for political reasons. I challenge anyone to demonstrate any political advantage which we gained. We have been subject to a constant barrage of criticism and ridicule on the editorial pages of a large segment of the Nation's press, and have had attributed to us every variety of improper motive. While most of us are hardened to such comment, to suggest that it is to our political advantage to incur it is rather absurd. I suggest that the political pressure which has been exerted in connection with this nomination has been in Mr. Strauss' behalf, not in opposition to him.

The Committee on Interstate and Foreign Commerce did not create the controversy over Mr. Strauss. It has existed for years. Its existence was known to Mr. Strauss and to the President, who nominated him, long before the nomination was submitted, and has been considered one of the factors which led the President not to reappoint him to the Atomic Energy Commission. We likewise did not determine the nature of the charges made against Mr. Strauss before the committee. If Mr. Strauss brought to the hearings a distinguished record of public service, so also did several of the witnesses who appeared in opposition to his confirmation, and the charges were theirs.

The members of our committee did have the responsibility to hear the testi-

mony for and against the confirmation of Mr. Strauss, and to report to the Senate their best judgment as to its significance. This is neither an easy nor a pleasant task, but the hearings were conducted by the chairman, and in his absence by the ranking member, with courtesy and fairness. Every effort was made to schedule hearings so as to accommodate Mr. Strauss. He was represented throughout the hearings and was personally present at most of them. Transcripts were made available to him as soon as they were available to the committee. He requested, and was given, the opportunity to reply at the conclusion of the testimony of each adverse witness—an unusual procedure. I do not recall a single question which was not asked in what appeared to be a sincere effort to gain information, rather than to embarrass him. I cannot say the same for some of the questions addressed to witnesses against him.

On the basis of the hearings, which were long, involved, and tedious, individual members of the committee have reached different conclusions. I can assure the Senate that the case was not prejudged, and that I believe every member of the committee entered upon the hearings prepared to indulge every presumption in favor of confirmation. I am certain that in the early stages of the hearings the sentiment for confirmation was overwhelming. Now that the testimony has been received, and the time approaches when the Senate must vote, we can all wisely say with the Senator from Rhode Island [Mr. PASTORE]:

It is possible that I do not share the reasoning of any other individual on this committee. I vote my own conscience alone.

I cannot agree that there is something unsavory about a lengthy hearing on a nominee for a Cabinet post, or that it is a cause for shame should the Senate finally reject the nomination. It has been argued that the President has the right—and this is the precise term which has been most frequently used: "the right"—to select the members of his immediate official family. This is perfectly true. He has the right to select. He does not have the right to appoint, unless with the Senate's advice and consent. The authors of the Constitution thought the distinction was a vital one.

After discussing the advantages of lodging the power of appointment, and thus the responsibility for appointment, in the Chief Executive, Alexander Hamilton wrote in No. 76 of "The Federalist" papers:

The truth of the principles here advanced seems to have been felt by the most intelligent of those who have found fault with the provision made, in this respect, by the convention. They contend that the President ought solely to have been authorized to make the appointments under the Federal Government. But it is easy to show, that every advantage to be expected from such an arrangement would, in substance, be derived from the power of nomination, which is proposed to be conferred upon him; while several disadvantages which might attend the absolute power of appointment in the hands of that officer would be avoided. In the act of nomination, his judgment alone would be exercised; and as it would be his sole duty

to point out the man who, with the approbation of the Senate, should fill an office, his responsibility would be as complete as if he were to make the final appointment. There can, in this view, be no difference between nominating and appointing. The same motives which would influence a proper discharge of his duty in one case, would exist in the other. And as no man could be appointed but on his previous nomination, every man who might be appointed would be, in fact, his choice.

But might not his nomination be overruled? I grant it might, yet this could only be to make place for another nomination by himself. The person ultimately appointed must be the object of his preference, though perhaps not in the first degree.

Nor is there any doubt, from the statements of the framers of the Constitution, that the Senate's participation in the appointive process was not intended to be a mere formality, but a serious responsibility. Thus Hamilton also wrote:

If an ill appointment should be made, the Executive for nominating, and the Senate for approving, would participate, though in different degrees, in the opprobrium.

Is this responsibility to be less in the case of a Cabinet officer, because his very importance in our system of government makes him a confidant of the President? I think it is significant that it is specifically inferior officers which the Constitution suggests the President may be left to appoint without the Senate's concurrence. The more powerful the office for which a nominee is being considered, the more solemn is the Senate's obligation—an obligation which is as basic to our form of government as its similar responsibility to advise and consent to treaties negotiated by the same Executive.

An effort has been made to convince the Senate that to reject this nomination would be to depart from a long and unbroken Senate tradition. The only evidence of such a tradition which is offered is the fact that the Senate has seldom refused its consent to a Presidential nomination. I submit that while this demonstrates that the Senate has exercised its power with restraint, it is no argument for failure to act when the need arises.

The authors of the Constitution anticipated that the Senate's consent would usually be given. In the same number of "The Federalist" papers, Hamilton wrote:

It is also not very probable that his nomination would often be overruled. The Senate could not be tempted, by the preference they might feel to another, to reject the one proposed; because they could not assure themselves, that the person they might wish would be brought forward by a second or by any subsequent nomination. They could not even be certain, that a future nomination would present a candidate in any degree more acceptable to them; and as their dissent might cast a kind of stigma upon the individual rejected, and might have the appearance of a reflection upon the judgment of the chief magistrate, it is not likely that their sanction would often be refused, where there were not special and strong reasons for the refusal.

To what purpose then require the cooperation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though, in general, a silent operation.

However, even admitting that the Senate does not often withhold consent, the infrequency of such cases has been greatly exaggerated. Of the last five Presidents, Mr. Eisenhower is the first not to have a nomination to a major post in the Government rejected by the Senate. President Coolidge was refused consent to the appointment of his Attorney General, President Hoover to the appointment of a Justice of the Supreme Court, President Roosevelt to five major appointments, and President Truman to six.

Another aspect in the history of the Senate's exercise of its constitutional power of advice and consent is often overlooked. In only 18 Congresses of the 86 Congresses since our Nation began has the political party of the President failed to have clear control of the Senate. Except for President Coolidge's nominee for Attorney General, every rejection of a nominee for a Cabinet post has come in such divided periods. As I commented in my separate statement of views:

The Senate's consent to an appointment has seldom been refused, largely because of the wise resort to its advice, even in advance of a nomination. In the rather rare periods when different parties control the executive and legislative branches, the Senate has much less opportunity to exercise its advisory function and can only discharge its constitutional obligation by granting or withholding consent.

Stated otherwise, it is in these periods that Hamilton's "silent operation" of the need for the Senate's concurrence is most likely to prove inadequate. It is not unusual that its audible operation may sound strange, being seldom heard.

Mr. CLARK. Mr. President, will the Senator from Oklahoma yield?

The PRESIDING OFFICER (Mr. McCARTHY in the chair). Does the Senator from Oklahoma yield to the Senator from Pennsylvania?

Mr. MONRONEY. I yield.

Mr. CLARK. Would the Senator from Oklahoma prefer to finish his speech before he yields for questions?

Mr. MONRONEY. I shall be glad to yield for questions; but I prefer to keep my prepared remarks in context. At the conclusion of their presentation, I shall be glad to yield.

Mr. CLARK. Very well.

Mr. MONRONEY. Mr. President, the Senate then is presented with the President's nomination of Mr. Strauss for a Cabinet post. The question properly before us is whether, in Hamilton's phrase, there are "special and strong reasons for the refusal" to consent to his appointment. On the basis solely of the record before our committee, I have concluded that there are, and that the Senate's consent should be withheld.

I have said that at the beginning of our hearings I was inclined to vote for confirmation of Mr. Strauss. During those hearings his testimony assumed a pattern which finally convinced me that I could not do so in good conscience. Time after time after time I found that I had been misled as to the facts about which he testified, or diverted by his testimony from lines of inquiry which might have led to the facts. This was

true of his testimony on his role in the development of a system of long-range detection of nuclear explosions and of the hydrogen bomb, on his attitude toward the export of radioactive isotopes for medical research, on whether he had asked for information on a hostile witness.

Some of this testimony related to events of the past, and only indirectly to his duties as Secretary of Commerce. However, one area of his testimony, which I believe is fairly representative of his conduct before our committee, related directly to recent action, taken since he has been Acting Secretary of Commerce, in a field in which our committee has a direct responsibility. It is this testimony which I should like to discuss fully for the information of other Members of the Senate.

THE STEEL PIPE CASE

This testimony relates to an action taken by Mr. Strauss, as Secretary of Commerce, under the Export Control Act of 1949, to deny an application for a license to export some 12,000 tons of large-bore steel pipe to the Soviet Union. During the appearance of Mr. Strauss before our committee on Wednesday, March 18, 1959, the Senator from Rhode Island [Mr. PASTORE] stated to the nominee:

An editorial appeared in the Providence Evening Bulletin of last night, which is somewhat critical of you, and I think I should like to read it out now, and then have you comment later.

I am going to leave the editorial with you; I think in fairness you ought to answer it, for the purpose of the record, because I think it touches quite importantly on the matters that we discussed here yesterday. (Hearings, p. 43.)

Senator PASTORE then proceeded to read the entire editorial, the first four paragraphs of which were, as follows:

In announcing recently his third rejection of an American exporter's application to sell 12,000 tons of 28- and 30-inch pipe to the Soviet Union, Secretary of Commerce Strauss implied the action had State Department sanction.

The fact is that the State Department, which is charged with primary responsibility in foreign policy, not only had not recommended rejection of the special permit required by law but rather had observed that "no useful purpose" would be served by denying the license.

Moreover, the State Department felt moved to correct for the record the implication of Secretary Strauss' announcement, although not quarreling with the Commerce Department's right under the law to make the final decision on licensing exports to the Soviet Union.

The reason for the State Department demurrer is clear. It is the Department's way of saying that it refuses to permit Admiral Strauss to commit it to his insistent views on cold war strategy. (Hearings, p. 43.)

It is my impression that this editorial, which had appeared the previous evening, was the only information which the committee had at that time on this incident. I know that I had no further information on it or knowledge of it. It will be noted that Senator PASTORE had indicated that he intended to give the editorial to the nominee, so that he could comment on it later for the record, be-

cause he thought it touched quite importantly on matter which Mr. Strauss had previously discussed with the committee.

However, rather than commenting later for the record, as had been suggested, Mr. Strauss replied immediately, as follows:

Mr. STRAUSS. Senator, I couldn't be more grateful to you for having raised this matter. Let me tell you what happened, because this gives me an opportunity to put on the record a rather extraordinary circumstance.

That editorial is based upon a story which appeared in the press several days ago, and it in effect quotes from that story. The story quoted an unnamed spokesman in the State Department to this effect: That I had acted unilaterally, that the State Department thought this was unwise. The day that it appeared, it was Friday of last week, the Acting Secretary of State called me and told me that they regretted this, that it was completely unauthorized, and that the State Department press officer would issue a clarifying statement, which I believe was done. I have not seen it in the press.

There was absolutely no difference between the State Department and the Department of Commerce on this. The final determination is the determination of the Secretary of Commerce, but there was no unilateral action in the sense that this was not done in consultation with the State Department and with its complete concurrence.

As a matter of fact, 28- and 30-inch pipes have been on the proscribed list for long before my time, and were they not on the list when I came into office, they would be now. (Hearings, p. 44.)

After a further comment by the Senator from Rhode Island [Mr. PASTORE], Mr. Strauss continued:

Mr. STRAUSS. Well, I would like to supply, Senator, Mr. Chairman, for the record, a statement of the procedural steps. But with reference to this particular instance, this application for the export of 12,227 tons of 28- and 30-inch pipe had been considered on two previous occasions, had been rejected on those two previous occasions, and was reinstated, that is to say, the application was reinstated before me. It was considered by a committee on which the State Department and the Department of Defense were both represented, another agency of the Government, and there was no objection to the course of action which I recommended, which was the denial of the application.

And the story was incorrect and the editorial, while I am grateful for the complimentary part of it, was based upon an inaccurate statement and I will, with your permission, if you will let me have it, write to the editor and send him the State Department's clarifying and amplifying statement. (Hearings, p. 44.)

Based on this testimony by the nominee, I had the following impressions as to the facts in connection with this incident—impressions which I have been advised were shared by other members of the committee:

First. That a newspaper story had stated that the Secretary "acted unilaterally" and "that the State Department thought this was unwise."

Second. That the action of the Secretary was in fact taken after consultation with the State Department and "with its complete concurrence."

Third. That this consultation and concurrence took place when the matter was considered by a committee in which "there was no objection to the course

of action" which Mr. Strauss had recommended.

Fourth. That "the story was incorrect and the editorial was," therefore, "based upon an inaccurate statement," and thus also incorrect.

Fifth. That the newspaper story which was the cause of the criticism had subsequently been denied by the State Department.

I leave to the individual judgment of other Members of the Senate as to whether they would have reached the same conclusions from the testimony of Mr. Strauss. I believe these are the conclusions which would reasonably be drawn, but I can only state positively to the Senate that they are the conclusions which I did draw.

Subsequently, further inquiry into this matter was made by a member of the staff of the committee—not at my request, for Mr. Strauss' testimony had given me no reason for further interest in the matter. Several weeks later I learned for the first time that the original story, to which the nominee had referred, had appeared in the *New York Times* on March 13, 1959. While it is rather long, I think it is important to read the entire story for the information of the Senate:

[From the *New York Times*, Mar. 13, 1959]

U.S. AIDS QUERY SOVIET TRADE BAN—STATE DEPARTMENT ADVISED STRAUSS TO LICENSE THE EXPORT OF STEEL PIPE

WASHINGTON, March 12.—The State Department saw no useful purpose in denying an export license for the sale of steel pipe to the Soviet Union, and so advised the Commerce Department, officials said today.

Yesterday Lewis L. Strauss, Secretary of Commerce, announced that he had rejected for the third time, a U.S. trader's application for a license to export 12,227 tons of 28-inch and 30-inch pipe to the Soviet Union.

State Department officials made clear today that Secretary Strauss was fully within his rights in denying the application, for he is assigned this responsibility under the Export Control Act.

STATEMENT DENIED

However, these officials took exception to the language used by Mr. Strauss in his announcement. He had said:

"The turnaround, announced following an intensive review by an interdepartmental committee which recommended rejection, was made on the grounds that approval of the application would not be in the national interest as defined in the Export Control Act."

The interdepartmental committee mentioned was a working group of the Advisory Committee for Export Policies.

State Department officials said the committee had not recommended rejection. According to these informants, the application was discussed, with some agencies counseling rejection and others approval.

At the conclusion of the discussion, the Chairman, an official of the Commerce Department, recommended rejection to Mr. Strauss, it was said.

State Department officials said the chairman was authorized to ignore the views of other departments in making his recommendation.

The discussions of the committee are secret, and it is customary for the Secretary of Commerce to make no mention of its deliberations in announcing his decision on an application. Since Mr. Strauss departed from this custom yesterday, State Depart-

ment officials took the position that he should have recorded the dissenting views of the State Department and some other agencies.

AMOUNT CALLED SMALL

In the committee discussions, the State Department representative questioned the effectiveness of forbidding the export of the pipe in view of the fact that it would amount to only 30 to 46 miles of the thousands of miles of oil pipeline called for in the Soviet Union's 7-year plan.

One official said the Department thought there was "no useful purpose in controls unless they registered an impact on the Soviet bloc." To apply controls where they will have no large impact on military potential, the Department holds, only gives the Soviet Union a propaganda opportunity.

The Soviet Union has been purchasing 24-inch pipe in East Germany and presumably could purchase it freely here, also, for pipe of that diameter and less is not on the so-called positive list. Items on the positive list require an individually validated export license. Pipe of 28-inch diameter and above is on the positive list.

It is within the discretion of the Secretary of Commerce to call in the interdepartmental advisory committee where the positive list is concerned. Mr. Strauss had not consulted the committee when he previously denied the export license for the steel pipe.

Departments and agencies represented on the advisory committee are Commerce, State, Defense, Interior, Agriculture, International Cooperation Administration, and the Central Intelligence Agency.

Officials refused to say today how many of these agencies opposed rejection of the license, but they indicated they were a minority of the committee. (Hearings, pp. 1068-69.)

From reading the *Times* story it became apparent that the first impression which I had gained from the testimony of Mr. Strauss was incorrect. The burden of the story was not that Mr. Strauss had acted unilaterally. The story affirmatively stated that the matter had been considered by an interdepartmental committee. The burden of the story was rather that the State Department had not approved of his action, and that some officials of that Department had taken exception to his attributing the action to the interdepartmental committee without noting that its recommendation had not been unanimous. As a matter of fact, the story was rather precisely summarized by the original editorial in the *Providence Evening Bulletin*.

Following a report of an interview with an official of the State Department concerning the *Times* story by a member of the committee staff (see page 1067 of the hearings), the chairman of the Commerce Committee wrote on April 15, 1959, to the Honorable C. Douglas Dillon, Under Secretary of State for Economic Affairs, pointing out the apparent conflict between Mr. Strauss' testimony and the *Times* story, and indicating that the committee wished the attitude taken by the State Department made clear for the record. He asked for a copy of the Department's position paper for the advisory committee and a transcript of whatever minutes were kept of the conference on this application.

In a reply dated May 6, 1959, Mr. William B. Macomber, Assistant Secretary of State, advised the chairman that—

The papers and transcript of the committee's record of discussion, which you have requested, are a part of the Department of Commerce files and in any event fall within the category of discussions and communications of an advisory nature among the officials and employees of the executive branch which I am not privileged to release to you.

At a later point in his letter, Mr. Macomber commented on the particular case as follows:

In the particular case about which you inquire, the Secretary of Commerce made his decision following consultation with the Department of State and other interested departments and agencies. The consideration of the steel pipe case was conducted on the interdepartmental working level. Although procedures exist within the Department of Commerce committee structure for higher level review of controversial recommendations, these procedures were not invoked by any agency in the case in question.

This exchange of letters appears at page 1074 of the hearings. I ask unanimous consent that they be printed in full at this point in my remarks.

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

APRIL 15, 1959.

HON. C. DOUGLAS DILLON,
Deputy Under Secretary of State for Economic Affairs, Department of State, Washington, D.C.

DEAR MR. DILLON: As you may know, the committee is currently considering the nomination of Lewis Strauss as Secretary of Commerce. During our public hearings of March 18, 1959, on this nomination a question was raised as to the Commerce Department's rejection, under the Export Control Act, of a recent application for licensing a shipment to the Soviet Union of 12,227 tons of 28- and 30-inch steel pipe. Mr. Strauss advised the committee that his decision to deny the license was taken after consultation with the interdepartmental Advisory Committee for Export Policies of which the State Department is a member. He testified that this group supported his decision, and that it was made with the complete concurrence of the State Department.

Subsequent to this testimony the committee's attention has been called to certain newspaper reports—particularly one appearing in the March 13, 1959, issue of the *New York Times*—indicating that the State Department had in fact questioned the wisdom of rejecting this export license. According to the *Times* report, your Department's representative in the advisory committee advised that a withholding of the amount of pipe involved would produce little or no adverse impact on the Soviet economy or military potential; thus, a denial of the shipment would only provide the Soviet with a propaganda advantage.

In view of these seemingly contradictory expressions the committee believes that the attitude taken by the State Department in this matter should be made entirely clear for the record. I would therefore appreciate receiving a copy of your Department's position paper for the advisory committee conference, as well as a transcription of whatever minutes may have been kept at the conference itself.

As we hope to be resuming hearings on Mr. Strauss' nomination in the near future, I would appreciate as prompt a response as possible.

Thank you for your cooperation in this matter.

Sincerely yours,
WARREN G. MAGNUSON,
Chairman.

DEPARTMENT OF STATE,
Washington, May 6, 1959.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and
Foreign Commerce, U.S. Senate.

DEAR SENATOR MAGNUSON: In your letter to Mr. Dillon of April 15, 1959, which was received in the Department on April 20 and acknowledged by telephone on April 21, you have raised a question as to the Department's attitude toward the recent rejection of an export license to ship 12,227 tons of 28- and 30-inch steel pipe to the Soviet Union.

I am sure you will recognize that the papers and transcript of the committee's record of discussion, which you have requested, are a part of the Department of Commerce files and in any event fall within the category of discussions and communications of an advisory nature among the officials and employees of the executive branch which I am not privileged to release to you. The responsibility for administering U.S. export controls under the Export Control Act of 1949, as amended, has been placed in the hands of the Secretary of Commerce. In accordance with section 4 of that act, the Secretary of Commerce seeks information and advice from the Department of State and other executive departments and independent agencies concerned with aspects of our domestic and foreign policies and operations having an important bearing on exports. The decisions taken by the Secretary of Commerce on individual export license applications following consultation with other agencies are the decisions of the U.S. Government in such matters.

In the particular case about which you inquire, the Secretary of Commerce made his decision following consultation with the Department of State and other interested departments and agencies. The consideration of the steel pipe case was conducted on the interdepartmental working level. Although procedures exist within the Department of Commerce committee structure for higher level review of controversial recommendations, these procedures were not invoked by any agency in the case in question.

If I can be of further assistance to you, please do not hesitate to call upon me.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary.

Mr. MONRONEY. While this letter from Mr. Macomber appeared to confirm the statement by Mr. Strauss, the chairman wrote again to Mr. Macomber on May 11, 1959, renewing his request for a copy of the State Department position paper, and citing a comment made by President Eisenhower in 1955 to support the propriety of the request. The document requested was finally forwarded to the committee with a letter from Mr. Macomber dated May 19, 1959. These letters appear on pages 1072 and 1073 of the hearings, and I ask unanimous consent that they be printed in full at this point in my remarks.

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

MAY 11, 1959.

HON. WILLIAM B. MACOMBER, JR.,
Assistant Secretary, Department of State,
Washington, D.C.

DEAR MR. SECRETARY: This is to acknowledge and thank you for your letter of May 6, 1959, in which you advised us that the transcript and record of discussion having to do with an export license to ship 12,227 tons of 28- and 30-inch steel pipe to the Soviet Union was part of the files of the Department of Commerce and that in any

event you were not privileged to release the record to the committee.

What the committee is interested in is the State Department's position paper prepared for the conference as well as a transcript or minutes, if they were kept. It would seem to me that the position paper would be in the possession of your Department.

I take the liberty of drawing your attention to part of the remarks made by President Eisenhower at a press conference on July 6, 1955, when he stated:

"If anybody in an official position of this Government does anything which is an official act, and submits it either in the form of recommendation or anything else, that is properly a matter for investigation if Congress so chooses, provided the national security is not involved."

It would seem to me that the material I requested falls within the type of information referred to by the President.

I would greatly appreciate your prompt answer since the hearings on the nomination of Secretary Strauss should be finished this week.

Sincerely yours,

WARREN G. MAGNUSON,
Chairman.

DEPARTMENT OF STATE,
Washington, May 19, 1959.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and
Foreign Commerce, U.S. Senate.

DEAR MR. CHAIRMAN: In your letter dated May 11, 1959, you referred to the discussion relating to the rejection of an export license to ship 12,227 tons of 28- and 30-inch steel pipe to the Soviet Union. You requested a copy of the State Department's position paper prepared for use in connection with the discussion.

Subsequent to the discussion in the operating committee, the Department of State member forwarded a memorandum, classified "Confidential," to the chairman of that committee explaining the views of the Department. A copy of that memorandum, dated March 3, 1959, is enclosed.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary,
(For the Acting Secretary of State).

Mr. MONRONEY. I should like to read the last paragraph of Mr. Macomber's letter of May 19th, for the information of the Senate:

Subsequent to the discussion in the operating committee, the Department of State member forwarded a memorandum classified "Confidential," to the chairman of that committee explaining the views of the Department. A copy of that memorandum, dated March 3, 1959, is enclosed.

Here, then, the veil of "Executive privilege" having been pierced, were the views of the Department of State on the nominee's decision to deny a license, which he had represented to our committee had been done "with its complete concurrence." Here was the document by which the Department of State had presumably conveyed to the operating committee the information that, in Mr. Strauss' phrase "there was no objection to the course of action" which he had recommended. I should like to read this position paper in full.

MARCH 3, 1959.

To: Chairman, Operating Committee.
From: Department of State member.
Subject: Proposed export of line pipe to U.S.S.R.

The Department, during the operating committee discussions with respect to the

security rating for steel line pipe, considered that this item should not be included in the group of items subject to a presumption for denial when intended for a Soviet bloc country. The Department's position was based on the absence of any international control over this item, a situation which would enable the bloc to obtain the pipe without restriction from free world sources outside the United States, and which therefore would render United States unilateral control ineffective. It may be noted that line pipe had previously been available to the Soviet bloc from free world sources on the basis of International List II (quantitative limitation).

The Department, therefore, consistent with this position on listing, originally reserved its position and subsequently objected to the recommendation of the chairman of the operating committee to deny an application to export line pipe to the U.S.S.R. The grounds for the Department's objection are, first, that denial will not be effective in preventing the Soviet Union from continuing its pipeline projects since the available evidence indicates that other producing countries have no legal basis to embargo line pipe and therefore will not hesitate to supply Soviet import needs for this item; and second, that in those instances in which U.S. unilateral controls would not be effective, it would be inadvisable on balance to take unilateral actions more restrictive than those taken by other COCOM cooperating countries, either individually or multilaterally.

In the case in question, information which has become available since the review of U.S. export controls strengthens the Department's belief that the United States cannot exercise an effective unilateral control over this item, and that denial of export licenses for the pipe in question will not have a significant adverse effect on Soviet bloc war potential. As the Department has previously stated to Secretary Weeks it does not perceive any advantage to be gained from maintaining under a presumption of denial items which cannot be effectively unilaterally controlled by the United States.

While the foregoing views represent the Department's considered opinion, it is not proposed to appeal to the Advisory Committee on Export Policy the recommendation of the Chairman of the Operating Committee. This memorandum is submitted in order that the Department's views may be a matter of record with the Operating Committee.

And so the basic assertion of Mr. Strauss in his testimony before the committee also proves false. Again I was misled; his action was taken, not with the "complete concurrence" of the State Department, after a meeting in which there was "no objection to the course of action which (he) recommended," but over the stated objections of that Department, both in the meeting and in a formal memorandum for the record.

A comparison of the New York Times story with the position paper of the State Department will indicate that the impression which I had gained from Mr. Strauss, that the story was incorrect, was also false. The Times story was an exceptionally accurate piece of reporting, and it was completely accurate information on which the Bulletin editorial was based.

Only one impression which I had gained from the testimony of Mr. Strauss remains to be accounted for: Was the Times story denied by the State Department? I ask the further patience of the Senate while I read the excerpts

from the State Department press briefing of March 13, 1959, which bear on this question. This is a direct shorthand transcript of the State Department press briefing:

Mr. WHITE. You will recall that yesterday I was asked about this question of steel pipe and have since looked into it.

I would simply like to say that the Department of State did not object to the decision by the Department of Commerce to deny this license. The decision was taken by the Secretary of Commerce after consulting his Advisory Committee on Export Policy, of which the State Department is a member.

Question. Did the State Department member on this advisory body approve the decision?

Answer. I will revert to what I said yesterday on that, that the decision has been taken and we don't object to it.

Question. But you won't say whether the Department approved it?

Answer. No, there are certain procedures, if you wish to go that far, that are available to you. We did not take those procedures.

Question. What was that? What are the procedures, Link?

Answer. An appeal. If you feel strongly enough on this Committee, there are procedures for the presentation of an appeal.

Question. To whom, the President?

Answer. No, no. The Secretary of Commerce is charged by law with administration and to make decisions on this. He has an advisory committee.

Question. Link, you say we did not go that far. This implies you didn't approve the decision even though you didn't have any objection.

Answer. I will leave it where it is.

Question. Could you explain, is this an advisory committee that either makes an objection or doesn't say anything at all?

Answer. No, you express your views and the decision is made. If you object to the decision taken you appeal.

Question. Do you know where the appeal lies, to whom the appeal is made?

Answer. I suppose it boils back up through the Committee to the Secretary of Commerce.

Question. In other words, objection in the context of this procedure has a rather precise technical meaning.

Answer. I think I will chop 'er off.

Question. Do you know, Link, what other departments are represented on the Committee?

Answer. I better not go into it because I am not precise on it.

Question. Link, there is a published report that the State Department advised the Commerce Department, probably through this procedure, that to refuse to supply the steel pipe would serve no good purpose. Can you comment on that?

Answer. No, sir.

Question. You don't deny the report. You simply have no comment.

Answer. I am neither denying nor confirming.

Mr. President, I conclude that I was totally misled by the testimony of Mr. Strauss. Not a single impression which he left by that testimony was correct. The concealment of the true facts, or my diversion from their discovery, was remarkably complete.

The question, of course, remains as to whether Mr. Strauss knew of the State Department's position or was ignorant of it. I think in fairness to Mr. Strauss I should place in the Record at this point a letter from Mr. Strauss to the

chairman of our committee, dated May 19, 1959. The letter is as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., May 19, 1959.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: This is in reply to your letter of May 11 requesting to be supplied with such information as may exist in our files with respect to the State Department's position on an export application to ship a quantity of large diameter steel line pipe to the Soviet Union which application recently was rejected by this Department.

Since receiving your letter, I have been advised that the State Department is making available to your committee certain information confirming the position of that Department which was expressed during the interdepartmental discussions on this application. In this connection, however, I should like to point out that the advice of the State Department in this case did not constitute a conflict in basic overall U.S. objectives among those responsible for the final determination of policy in either Department. While there was a difference of opinion on this issue in the Operating Committee, the Department of State at the policymaking level did not feel that the reasons for the difference were sufficient to appeal the majority views of the Operating Committee to the Advisory Committee on Export Policy. The State Department's considered advice at the policymaking level to this application was not in opposition to the majority views of the interdepartmental committee in which this Department concurred.

The State Department is providing your committee with the requested information. I take advantage of this opportunity to repeat our desire to cooperate fully with your committee.

Sincerely yours,

LEWIS L. STRAUSS,
Secretary of Commerce.

I will not presume to advise other Members of the Senate as to whether Mr. Strauss deliberately misled the committee on this occasion. I have formed my own opinion from this record and my experience in Government. Each Senator is certainly able to do the same.

It should be remembered that when this matter was originally raised it was suggested that Mr. Strauss might wish to comment later for the record, as the matter was an important one. Instead he chose to comment unequivocally and at once. If in fact he did not know the State Department's views, then his testimony was irresponsible. Even if he did not deliberately mislead the committee, his conduct demonstrates a contempt for the committee's right to the truth.

Let me make absolutely clear, so that my position will not be misconstrued, that I am not criticizing the action of Mr. Strauss in denying the particular license which was involved in this incident. It should also be noted that his action had not been criticized in the committee. This incident involved his exercise of an authority and a responsibility which was clearly his under the Export Control Act of 1949. He was not under obligation to refer the matter to the Advisory Committee on Export Policy or to follow the recommendations of the Department of State. He was under an

obligation to tell the committee the truth about it.

Why do I take so much of the Senate's time to discuss this incident of misrepresentation by Mr. Strauss? A score of other incidents detailed day after day before our committee amply illustrate the nominee's disrespect and irreverence for the right of the Congress and the people to know what goes on in their Government. But this incident is a fresh, clear, and perfectly documented proof of this philosophy of secrecy. It involved the attempted use of executive privilege for face-saving purposes, the use of massive blur to conceal clear fact, and the resort to a half answer which misrepresents and obfuscates.

Is this consistent pattern demonstrated day after day by Admiral Strauss before our committee to be excused, explained away, or brushed aside as unimportant in relation to the constitutional duty of the Congress to confirm executive appointments?

My answer is that to accept this pattern on the basis that the President has nominated this man and that the Congress must not question his fitness in this important area would be to endorse the infringement of the peoples' right to know and to encourage it throughout all departments of Government.

Our system of government has largely withstood the abuse of executive excesses, of tyrannies over the individual, of sharp practices or favored treatment for the few because the peoples' channel of information from their Government has been kept open against all odds.

Government in the twilight of secrecy is an epidemic disease. Once tolerated in the highest of Government offices, the virus of concealment quickly spreads even to the lowest.

Far more patience and work are required for the countless explanations to the Congress, the press, and the people when the public business is transacted in the broad daylight of free-flowing factual information.

Shortcuts by star-chamber consultations—clothed with labels of "confidential" or "secret" or "executive privilege"—make the task of the official easier. They offer the illusory hope of a beeline to his desired goal. Thus public criticism can be avoided in the infancy of executive action. The danger of modification, correction, or dissent by the troublesome Congress, the press, or the public, through full and complete disclosure is avoided, until, in full-blown maturity, a smartly tailored gem is offered to the Nation with all the artistry of government promotion behind it.

But this shortcut is not the American way. The right of the people to know, with its assurance of public decisions and determinations openly arrived at, has stood as a bulwark to our constitutional freedoms for more than 180 years. Infringement of this right will lead to tyranny. Hence, we rightfully and zealously guard the built-in security which the searchlight of knowledge provides for in our system.

Officials, too, could learn from the experience of history that full disclosure,

step by step, is the best procedure for them as well as for the public. Efforts to hide or to deceive have usually been exposed at some later point to the discredit of the officer and of the program. Full disclosure during formation of programs leads to correction of minor details and usually results in successful culmination of the plan. Concealment often precedes scandals and abuses which are magnified because of their twilight origin.

In this case Admiral Strauss' difficulties with his fellow members of the Atomic Energy Commission, with its parent committee, the Joint Committee on Atomic Energy, and now with the Senate Interstate and Foreign Commerce Committee arise directly from misstatement of fact, concealment of the full story, and from the massive blur.

Confirmation of Admiral Strauss—after ample testimony from men I consider to be competent witnesses—would put the stamp of approval upon these practices. Their use in government is obnoxious to the clear intent of the Constitution, our statutory laws and the rules of the Senate governing legislative oversight.

Rather than approve these practices and their damaging effect upon the flow of legitimate news and information about public business, I must decline to support his confirmation.

This is neither a quick nor an easy decision for me. I do not propose to tell any other Senator how he should vote on this matter. Each of us has the responsibility and the duty under the Constitution to decide to approve or to disapprove.

Regardless of party lines or political belief, our constitutional duty is to examine, to inquire, and to determine his fitness. This individual responsibility cannot be discharged by declaring that the higher the office in the Government the more limited is our responsibility to make this determination.

Thus, as I declared in my individual minority views:

I conceive it to be basic to democratic government that the people, and their elected representatives in the Congress, are entitled to receive from the officials of the executive branch, not merely literal truth, but full information freely given without design to soothe, to confuse, or to divert. Because I am convinced that this cannot be expected of Mr. Strauss, I do not believe that it is in the public interest that he be confirmed as Secretary of Commerce.

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

Mr. MONRONEY. I am happy to yield to the Senator from Pennsylvania, and I appreciate very much the Senator's permitting me to complete my statement before questioning me.

Mr. CLARK. I thank my friend for yielding. The Senator, earlier in his most interesting and, I must say, convincing speech, referred to the very small number of rejections by the Senate of nominations sent to it by various Presidents. It is my understanding that, in addition to outright rejection of nominations, there has been somewhat of a custom, where substantial opposition to

a nomination appeared, for the President to withdraw the nomination. I have been in the Senate less than 3 years. I wonder whether the Senator from Oklahoma has information which is the same as mine, namely, that at least during that period the Senate has not rejected any nomination.

Mr. MONRONEY. That is correct. During the Eisenhower administration of the past 6 years, six withdrawals have occurred, including appointments which were not renewed after they had failed to receive confirmation before the expiration of the Congress.

Mr. CLARK. I thank my friend from Oklahoma. I recall the withdrawal of a nomination with which my friend from Oklahoma and I are familiar. It involved an individual who had made some 54 false statements in official documents closely connected with the office to which he was nominated. The Senator recalls that he and I were instrumental in helping bring about that withdrawal. I do not recall any other withdrawal during the past 3 years. I wonder whether the Senator recalls any.

Mr. MONRONEY. During the 6 years of the Eisenhower administration there have been six withdrawals.

I have only the last names of the nominees. They are Lyon, Whitfield, Holmes, and Flanagan, whose nominations were withdrawn; and Wood and D'Ewart, who were not confirmed or renamed—in other words, the Senate left those two nominations hanging on the calendar. So there were six nominations withdrawn or allowed to lapse during the 6 years of the Eisenhower administration.

President Truman had six outright rejections; President Roosevelt had five.

Mr. CLARK. I agree with the Senator that it cannot be successfully contended that the Democratic Senate has been rough or difficult with President Eisenhower in connection with his nominations.

Mr. MONRONEY. Our research shows that 563 nominations to major positions have been confirmed from 1953 to 1958. Nineteen yea-and-may votes were required; and on most of the yea-and-may votes the results were not even close.

This number of nominations does not include the thousands upon thousands of nominations of postmasters or promotions in the armed services. Five hundred and sixty-three major nominations were confirmed during the 6 years.

Mr. CLARK. I think the figures are quite significant.

Let me turn, so that I may ask a question, to the incident affecting the exportation of certain pipe. I have been trying to make up my mind whether to support the nomination. Frankly, I have had much trouble with it. I studied the record with some care in connection with the pipe matter. I wonder if the Senator would mind turning to page 48 of the printed hearings, to a passage which, in my judgment, at least buttresses the position which the Senator from Oklahoma has taken with respect to the pipe matter. Shortly after the testimony of Mr. Strauss on

page 44, which the Senator from Oklahoma quoted, Mr. Strauss made another statement before the committee, which appears on page 48. With the Senator's approval I should like to read it into the RECORD. I point out that this statement was made only a few minutes after the colloquy with respect to the pipe, to which the Senator from Oklahoma referred in his speech. Apparently, Mr. Strauss left the room for a while and then came back. He said:

I have, since your question was put to me, telephoned over to the State Department and received the following statement. This is dated March 13 and is a statement by their press officer. He said on that date:

"I have had a couple of questions on the steel pipe matter and have since looked into it. I would simply like to say that the Department of State did not object to the decision of the Department of Commerce to deny this license. The decision was taken by the Secretary of Commerce after consulting his Advisory Committee of Export Policy, of which the State Department is a member. The Secretary of Commerce is charged with decisions on this."

I think that disposes of this article.

Does the Senator not think that this additional quotation tends to buttress his view that Admiral Strauss was not being candid with the committee?

Mr. MONRONEY. I feel that Admiral Strauss not only failed to be candid, he misrepresented the State Department's position, of which he purported to be informed. He did not need to pull the State Department into the discussion. But he was so desirous, apparently, of bolstering his position by association with the State Department that he declared—and the record, in my opinion, is crystal clear on this point—that his decision was with the complete concurrence of the State Department. Only after much searching by the committee staff and the chairman were we able to come up with the truth.

But, worse than this, we find even the State Department becoming involved in this obfuscation and claiming executive privileges, and in order to save face for the Secretary of Commerce, asserting that this document giving the State Department's position on a small item relating to pipe was clothed with the secrecy of interdepartmental executive relationship, commonly called executive privilege.

So the idea of hiding, of concealment, in one department, spreads like an epidemic through other departments to other members of the team. They expect others to protect them, as the State Department apparently did in this case, until the chairman quoted the President's admonition to let Congress have public documents unless there is military security involved. That broke loose the confidential classification.

Mr. CLARK. I read the testimony with respect to the State Department's attitude on this matter and came to the same conclusion as did the Senator from Oklahoma. It was really like trying to pull teeth without an anesthetic, to get anything at all out of the State Department on this subject. This was long after the President had made his comments about bringing matters out into the open.

I suppose there is a natural tendency in any organization to try to be loyal to someone within the organization who is under attack.

I know, as I am certain the Senator from Oklahoma knows, that, in another aspect of this matter, the Department of Justice has been something less than cooperative with the Senator from Tennessee and with the members of the committee in making available information which seems to me, at least, to be pertinent in this regard. One of the things which concern me in trying to make up my mind on how to vote on the nomination is what appears to be a rather calculated philosophy on the part of the nominee—an attitude, one might say, of "daddy knows best." Here is a man who does not wish to share with the Senate any more information than he absolutely has to, and who is prepared to move unilaterally, without making available the necessary information which certainly, so far as the Joint Committee on Atomic Energy is concerned, is required to be made available. I wonder if the Senator from Oklahoma, perhaps, has some views in that regard.

Mr. MONRONEY. I certainly have. Throughout the hearings, the Senator from New Mexico [Mr. ANDERSON], the chairman of the Joint Committee on Atomic Energy, related his difficulties over the years with respect to the withholding of information or the supplying of half facts. These occurrences seem to fit into a general mosaic. Under the Constitution, Congress has a right to be informed; and with particular reference to the Atomic Energy Act, the Commission, by law, is specifically charged with the duty of keeping the Joint Congressional Committee informed on all matters. Yet Admiral Strauss was repeatedly contemptuous of the statutory requirement, the constitutional requirement, and the Senate rules of legislative oversight.

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

Mr. MONRONEY. I yield.

Mr. McCARTHY. The Senator from Oklahoma has touched on a vital point. The withholding of information from the Joint Committee on Atomic Energy is in a different category from the withholding of information by other agencies from other committees of Congress. In the statute creating the Atomic Energy Commission there is a specific provision in which Congress, with the approval of the President, set forth that this particular problem was one which had such great economic, political, and even moral significance that Congress was to be included in any basic decisions regarding atomic energy.

Mr. MONRONEY. The Senator from Minnesota is exactly correct. It is a most important provision. Apparently, Mr. Strauss had withheld considerable information at various times, to the point where, on June 3, 1954, as appears in the printed hearings before the Committee on Interstate and Foreign Commerce at page 509, Chairman Cole, who is listed as one of the prominent endorsers of Mr. Strauss for the position of

Secretary of Commerce, had this exchange with him:

Chairman COLE. Mr. Strauss, I wanted to ask you with reference to a section of existing law. Section 15 of the present law, subparagraph B, says:

"The Commission"—meaning the Atomic Energy Commission—"shall keep the joint committee fully and currently informed with respect to the Commission's activities."

My interpretation of that sentence and that responsibility imposed on the Commission is all-inclusive with respect to the Commission's activities, with the possible exception of those areas where the Commission's activities may be related or connected in some way with national defense war plans. In all other lesser areas, it is my view that is a statutory obligation of the Commission to keep this committee informed on all of its activities.

Mr. STRAUSS. That is the view of the witness, and any respect in which I have failed to do so—that would be dereliction.

Chairman COLE. You will agree there have been instances recently in which the word "promptly" has certainly been violated.

I will express it differently. You will agree there have been recent instances where that principle has been resisted, where the Commission has resisted informing the committee on matters which the committee requested of the Commission?

Now, my purpose in bringing that out is at this time to write into the bill language which may be even stronger than what is in there now, and I do not know what stronger language could be used than to say it is the duty of the Commission to keep the Joint Committee fully and currently informed on all the Commission's activities.

Mr. STRAUSS. Would you accept the change in wording, Mr. Chairman, that instead of resisting, it has been delayed? I do not believe there is anything which the Joint Committee had requested that the Commission has failed to comply with. Nor in respect to such information as crosses the desk of the Chairman has there been any delay in furnishing, as a matter of fact.

Chairman COLE. It may not be in your memory, but it certainly is within mine, that for the first time within the history of this committee it was necessary for the committee to adopt a formal resolution to get information from the Commission.

Mr. STRAUSS. I am aware of that.

Chairman COLE. You may not call that resistance, but I do.

Mr. President, Admiral Strauss' memory failed him when the neglect to supply that information was brought out; but Republican Chairman Cole remembered the circumstances. He recalled that the committee had to adopt a resolution to get it when it was not forthcoming.

Then, when I questioned Admiral Strauss about the fact that Congress had passed an act to require him to give to the committee all the information—the previous act had provided only that the committee should be supplied with "information of its activities"; but because the Atomic Energy Commission, under the leadership of Admiral Strauss, had failed to do so, the law was amended by the insertion of the words "all of its activities"—Admiral Strauss repeatedly stated, as the hearings bear out, that he could not remember anything about such an amendment of the law. However, Mr. President, it seems absolutely unthinkable that after the Congress had directed a law at one man—and that law was directed at Mr. Strauss, the Chairman of the Commission—that man

would not remember that such a law had been passed.

Mr. CLARK. Mr. President, will the Senator from Oklahoma yield?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from Oklahoma yield to the Senator from Pennsylvania?

Mr. MONRONEY. I am happy to yield.

Mr. CLARK. Mr. President, I see across the aisle my friend the junior Senator from California [Mr. KUCHEL]. If I may address myself to him for a moment, let me say that I understand that later today he will make a speech in support of confirmation of the nomination of Mr. Strauss. Is that correct?

Mr. KUCHEL. No, Mr. President; my friend the Senator from Pennsylvania is mistaken.

I shall vote for confirmation of the nomination of Mr. Strauss. Perhaps I shall speak on the subject next week; but I have no plan to speak on it this evening.

Mr. CLARK. Then, Mr. President, I withdraw my suggestion.

Mr. MONRONEY. Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 1968) to strengthen the wheat marketing quota and price support program, with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its amendment to the bill; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. GRANT, Mr. ALBERT, Mr. HOEVEN, Mr. DAGUE, and Mr. BELCHER were appointed managers on the part of the House at the conference.

STRENGTHENING OF WHEAT MARKETING QUOTA AND PRICE SUPPORT PROGRAM

Mr. ELLENDER. As in legislative session, I ask unanimous consent that the Chair lay before the Senate the amendment of the House to S. 1968.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1968) to strengthen the wheat marketing quota and price support program, which was, to strike out all after the enacting clause and insert:

That title I of the Agricultural Act of 1949, as amended, is amended by adding the following new section:

"Sec. 106. Notwithstanding the provisions of section 101 of this Act, for each of the 1960 and 1961 crops of wheat price support shall be made available as provided in this section. The support price for each such crop shall be 90 per centum of the parity price therefor. Wheat of any such crop shall be eligible for price support only if (1) the farm on which the wheat is produced is in compliance with the farm wheat acreage allotment for such crop, and (2) the total acreage on the farm devoted to the production of crops supported under the Agricultural

Act of 1949, as amended, which would normally be harvested in the calendar year in which the wheat crop for which the producer applies for price support is normally harvested, does not exceed the total average annual acreage on the farm devoted to the production of such price supported crops for harvest in 1957 and 1958, less an acreage equal to 25 per centum of the farm acreage allotment for the crop of wheat for which application for price support is made which would be in effect for the farm except for the reduction thereof as provided in section 334(c) (2) of the Agricultural Adjustment Act of 1938, as amended: *Provided, however,* That a farm shall be deemed in compliance with the foregoing requirements for price support for wheat if no crop other than wheat supported under the Agricultural Act of 1949, as amended, is produced on the farm for harvest in 1960 or 1961, whichever is applicable, and the farm is in compliance with the farm wheat acreage allotment. In accordance with regulations prescribed by the Secretary, the acreage of such price supported crops for 1957 and 1958 may be adjusted for abnormal weather conditions, established crop-rotation practices for the farm, diversion under soil bank programs, and to reflect history acreage preserved under section 377 of the Agricultural Adjustment Act of 1938, as amended, to the extent of any unused allotment not diverted to the production of such price supported crops. For the purposes of this section a producer shall not be deemed to have exceeded the farm acreage allotment or the acreage of permitted price supported crops for the farm unless the producer knowingly exceeded such allotment or permitted acreage. In addition, for the 1960 or 1961 crops of wheat, if marketing quotas for the particular crop are in effect and the producers on the farm meet the foregoing requirements for price support and, in accordance with regulations prescribed by the Secretary, designate an acreage on the farm equal to the 25 per centum reduction in the farm acreage allotment required under section 334(c) (2) of the Agricultural Adjustment Act, as amended, for the particular crop of wheat and do not produce any crop thereon which is normally harvested in the calendar year in which the particular crop of wheat is normally harvested and do not graze such acreage during such year, such producers shall be entitled to a wheat payment in kind from Commodity Credit Corporation stocks equal in value to one-third of the average annual yield in bushels of wheat per harvested acre on the farm for the three years immediately preceding the year for which the designation is made, adjusted for abnormal weather conditions and as determined under regulations prescribed by the Secretary, multiplied by the number of designated acres. Such wheat may be marketed without penalty but shall not be eligible for price support. The payment in kind shall be made by the issuance of a negotiable certificate which Commodity Credit Corporation shall redeem in wheat equal in value to the value of the certificate. The certificate shall have a value equal to the number of bushels determined as aforesaid multiplied by the basic county support rate per bushel for number one wheat of the crop normally harvested in the year for which the acreage is designated and for the county in which the designated acreage is located. The wheat redeemable for such certificate shall be valued at the market price thereof as determined by Commodity Credit Corporation. The Secretary shall provide by regulation for the sharing of a certificate among producers on the farm on a fair and equitable basis. The acreage on the farm which would otherwise be eligible to be placed in the conservation reserve program for 1960 or 1961 shall be reduced by an amount equal to the re-

quired reduction of 25 per centum under section 334(c) (2) of the Agricultural Adjustment Act of 1938, as amended, for the wheat crop of the corresponding year. Price support at 90 per centum of parity under this section shall be made available only to cooperators and only if producers have not disapproved marketing quotas for the crop: *Provided further,* (1) That beginning with the crop of wheat to be harvested in 1960, the total amount of price support extended to any person on any year's production of wheat through loans or purchases made or made available by the Commodity Credit Corporation, or other agency of the U.S. Department of Agriculture shall not exceed \$35,000, (2) That the term 'person' shall mean an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity, or any two or more legal entities the beneficial ownership of which is substantially the same or is in members of the same household, or a State, political subdivision of a State, or any agency thereof, except that in the case of a partnership made up of two or more separate families or households each such family or household may be considered at its option as a person for the purposes of this subsection, (3) That in the case of any loan to, or purchase from, a cooperative marketing organization, such limitation shall not apply to the amount of price support received by the cooperative marketing organization, but the amount of price support made available to any person through such cooperative marketing organization shall be included in determining the amount of price support received by such person for purposes of such limitation, and (4) That the Secretary of Agriculture shall issue regulations prescribing such rules as he determines necessary to prevent the evasion of such limitation. In case marketing quotas are disapproved, price support shall be made available to cooperators and noncooperators at 50 per centum of parity: *Provided, however,* That for the purpose of section 407 of the Agricultural Act of 1949, as amended, the current support price for wheat shall be determined on the basis of a price support level for wheat of 75 per centum of the parity price therefor."

Sec. 2. (a) In lieu of the provisions of item (1) of Public Law 74, Seventy-seventh Congress, as amended, the following provisions shall apply to the 1960 and 1961 crops of wheat:

"(1) If a national marketing quota for wheat is in effect for any marketing year, farm marketing quotas shall be in effect for the crop of wheat which is normally harvested in the calendar year in which such marketing year begins. The farm marketing quota for any crop of wheat shall be the actual production of the acreage planted to such crop of wheat on the farm less the farm marketing excess. The farm marketing excess shall be an amount equal to double the normal yield of wheat per acre established for the farm multiplied by the number of acres planted to such crop of wheat on the farm in excess of the farm acreage allotment for such crop unless the producer, in accordance with regulations prescribed by the Secretary and within the time prescribed therein, establishes to the satisfaction of the Secretary the actual production of such crop of wheat on the farm. If such actual production is so established the farm marketing excess shall be such actual production less the actual production of the farm wheat acreage allotment: *Provided, however,* That the farm marketing excess shall be adjusted to zero if the total actual production on the farm does not exceed the normal production of the farm wheat acreage allotment. Actual production of the farm wheat acreage allotment shall mean the actual average yield per harvested acre of wheat on the farm multiplied

by the number of acres constituting the farm acreage allotment. In determining the actual average yield per harvested acre of wheat and the actual production of wheat on the farm any acreage utilized for feed without threshing after the wheat is headed, or available for such utilization at the time the actual production is determined, shall be considered harvested acreage and the production thereof in terms of grain shall be appraised in accordance with regulations prescribed by the Secretary and such production included in the actual production of wheat on the farm. The acreage planted to wheat on a farm shall include all acreage planted to wheat for any purpose and self-seeded (volunteer) wheat, but shall not include any acreage that is disposed of prior to harvest in accordance with regulations prescribed by the Secretary."

(b) Notwithstanding the provisions of item (2) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(2)), the rate of penalty on wheat of the 1960 and 1961 crops shall be 65 per centum of the parity price per bushel of wheat as of May 1 of the calendar year in which the crop is harvested.

(c) In lieu of the provisions of item (c) of Public Law 74, Seventy-seventh Congress, as amended, the following provisions shall apply to the 1960 and 1961 crops of wheat:

"(3) The farm marketing excess for wheat shall be regarded as available for marketing, and the penalty and the storage amount or amounts of wheat to be delivered to the Secretary shall be computed upon double the normal production of the excess acreage. If the farm marketing excess so computed is adjusted downward on the basis of actual production as heretofore provided the difference between the amount of the penalty or storage computed on the basis of double the normal production and as computed on actual production shall be returned to or allowed the producer or a corresponding adjustment made in the amount to be delivered to the Secretary if the producer elects to make such delivery. The Secretary shall issue regulations under which the farm marketing excess of wheat for the farm shall be stored or delivered to him. Upon failure to store, or deliver to the Secretary, the farm marketing excess within such time as may be determined under regulations prescribed by the Secretary the penalty computed as aforesaid shall be paid by the producer. Any wheat delivered to the Secretary hereunder shall become the property of the United States and shall be disposed of by the Secretary for relief purposes in the United States or foreign countries or in such other manner as he shall determine will divert it from the normal channels of trade and commerce."

(d) Item (7) Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(7)) is amended to read as follows:

"(7) A farm marketing quota on any crop of wheat shall not be applicable to any farm on which the acreage planted to wheat for such crop does not exceed 15 acres: *Provided, however,* That a farm marketing quota on the 1960 and 1961 crops of wheat shall be applicable to any farm on which the acreage of wheat exceeds the smaller of (1) 12 acres or (2) the highest number of acres planted to wheat on the farm for harvest in the calendar years 1957, 1958, or 1959."

Sec. 3. Item (12) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(12)) shall not be applicable with respect to the 1960 and 1961 crops of wheat.

Sec. 4. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(a) Section 334 is amended by inserting "(1)" after "(c)" and adding a new subparagraph (2) following subparagraph (c) (1) to read as follows:

"(2) Notwithstanding any other provision of law, each old or new farm acreage allot-

ment for the 1960 and 1961 crops of wheat as determined on the basis of a minimum national acreage allotment of fifty-five million acres shall be reduced by 25 per centum. In the event notices of farm acreage allotments for the 1960 crop of wheat have been mailed to farm operators prior to the effective date of this subparagraph (2) new notices showing the required reduction shall be mailed to farm operators as soon as practicable."

(b) Section 334 is further amended by inserting a new paragraph (d) between paragraphs (c) and (e) to read as follows:

"(d) For the purposes of paragraphs (a), (b), and (c) of this section any farm on which the farm marketing excess is adjusted to zero because of underproduction pursuant to applicable provisions of law shall be regarded as a farm on which the entire amount of the farm marketing excess has been delivered to the Secretary or stored in accordance with applicable regulations to avoid or postpone the payment of the penalty."

(c) Subsection (f) of section 335 is amended by striking out the semicolon at the end of item (1) and adding "and shall not apply to other farms with respect to the 1960 and 1961 crops;"

(d) Section 336 is amended to read as follows:

"Sec. 336. Between the date of issuance of any proclamation of any national marketing quota for wheat and July 25 of the year in which the proclamation is made the Secretary shall conduct a referendum by secret ballot to determine whether farmers favor or oppose such quota. Farmers eligible to vote in such referendum shall be producers on farms with respect to which a wheat allotment has been established pursuant to the provisions of this Act for the crop of wheat normally harvested in the calendar year in which the referendum is held and who have complied with such acreage allotment. If the Secretary determines that more than one-third of the farmers voting in the referendum oppose such quota he shall prior to the effective date of such quota by proclamation suspend the operation of the national marketing quotas with respect to wheat."

(e) Section 362 is amended by deleting the second sentence thereof.

Sec. 5. Subsections (b) and (c) of section 335 of the Agricultural Adjustment Act of 1938, as amended, are hereby repealed and subsection (d) of said section is repealed effective beginning with the 1960 crop of wheat.

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House, agree to the request of the House for a conference, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. HUMPHREY, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. MUNDT conferees on the part of the Senate.

THE WHEAT BILL

During the delivery of Mr. MONRONEY's remarks,

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

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may yield to my distinguished colleague without losing my right to the floor, with the understanding that his remarks will be printed in the RECORD following mine.

The PRESIDING OFFICER. Is there objection to the request of the Senator

from Oklahoma? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, the message just received by the Senate advises us that the House of Representatives passed the so-called wheat bill. I should like to have my colleagues in the Senate note that the Members of the House by a vote of 188 to 177 adopted a bill which will do four things which are certainly needed, in the light of the present circumstances relating to agriculture and the current agricultural program.

First, the House passed a bill which will reestablish the yardstick of 90 percent of parity for agricultural products, in the instance of wheat, thereby assuring the farm producer of wheat a fair price on his production. This will give the farmer a fair income.

Second, the House provided for a cut-back of production by passing the bill. In other words, if the bill passed by the other body is made law it will have a definite effect in cutting back the tremendous production of wheat. The bill passed by the other body provides 90 percent of parity, if a farmer takes a 25-percent decrease or cut in allotted acreage. This will mean a reduction in production.

Third, enactment of the bill will reduce surpluses, which hang heavily over the market today with a price depressing effect, because with the 25-percent acreage cut there will be a one-third payment in kind from the Commodity Credit Corporation stocks to the farmers who cooperate under the tremendous acreage reduction. That one-third payment in kind will come from the surplus wheat which has been accumulated in Government storage bins. This will tend to reduce the storage costs by feeding the wheat back onto the farms, for use by the farmer in feeding his livestock or feeding his poultry and fowl.

Fourth, the bill, if enacted into law, will provide savings for the taxpayer. It will result in savings because there will be less wheat going into storage. It will result in savings because the storage costs will be cut down on the already accumulated surpluses. It will result in savings because it will provide either no further increase or only a limited increase in the accumulation of new supplies.

Mr. President, I think we owe a debt of gratitude to men such as Representative ALBERT, for his leadership in this effort; Representative GEORGE MCGOVERN, of South Dakota, who I understand took a very effective leadership part; Representative ANDERSON, of Montana; Representative BURDICK, of North Dakota; and Representative BREEDING, of Kansas, to mention only a few.

These are Members of Congress with vision and with courage, who were willing to fight the good fight to give farmers a fair chance in the marketplace and to protect the interests of the taxpayers, by reducing the tremendous flow of production to manageable proportions.

I am hopeful the Senate conferees, if we go to conference on the bill, will find it possible to agree with the House action. I shall do my best to encourage such a conclusion.

If we do not go to conference and if there is to be independent action in the Senate on the bill passed by the House, I hope we will adopt those provisions. There are minor adjustments which can be made. There were certain provisions in the Senate bill which were very good, such as the cutting off of support prices and supports for noncompliance producers, those who do not comply with the regulations.

I am hopeful that some of the other limitations of the Senate bill will be agreed to.

This is a great day for agriculture, Mr. President, if we will follow the general pattern and direction laid down by the action of the other House. I, for one, want to compliment the majority in that House for its action.

I thank the Senator from Oklahoma, who I know is keenly interested in the entire farm problem, because of tremendous farm production of the great State of Oklahoma, for yielding to me.

Mr. MONRONEY. I thank my distinguished colleague.

NOMINATION OF LEWIS L. STRAUSS TO BE SECRETARY OF COMMERCE

The Senate resumed the consideration of the nomination of Lewis L. Strauss to be Secretary of Commerce.

Mr. MCCARTHY. Mr. President, I should like to make it clear at the beginning of my address that my primary concern is not so much with the personal qualifications of Mr. Strauss, but, rather, with the larger question of the responsibility of the Senate in passing upon nominations for Cabinet officers and other important administrative positions.

Some of the reactions in the press and also among the people of the country as a result of the rather prolonged hearings on the nomination of Admiral Strauss are evidence of the need for a repeated, clear statement of the Senate's responsibility, under the constitutional instruction regarding advice and consent.

The assumption has arisen that the President has an almost exclusive responsibility in regard to administrative appointments, and that failure, upon the part of the Senate, to support the nominations by confirmation is an affront to the President.

That assumption is not warranted by a careful reading of the Constitution. It is not warranted by a careful reading of the debate which preceded the adoption of this particular section of the Constitution. Certainly it is not warranted by the traditions and practices which have developed since the Constitution was adopted.

Withholding consent should not be considered an affront to the President any more than veto action by the President should be considered an affront to the Congress. The President has a right to veto legislation which has been passed by the Congress, and if he determines that it should be done, he has a duty to do so. In the same way, the Senate has a positive duty to give its assent to nominations if it feels they are in the

public interest. It has the right and the duty to withhold such approval if the facts justify such action.

Mr. CLARK. Mr. President, will the Senator yield briefly?

Mr. McCARTHY. I yield to the Senator from Pennsylvania.

Mr. CLARK. I am much interested in the point the Senator is making. In the course of trying to make up my mind as to how to vote on this question, I have listened to distinguished Senators who take the position that if this nominee is rejected, it will be a body blow to the President at a time when our international relations are in some difficulty, when the President needs all the prestige he can get, when everybody ought to rally around the President, in view of the happenings at Geneva and the possibility of a summit conference.

I wonder if my friend will elaborate a little on the view that rejection of this nomination, if it should come, would have little, if any, effect on the President's stature, not only as our Commander in Chief, but as our Chief Executive in charge of the day-to-day conduct of foreign relations.

Mr. McCARTHY. May I say to the distinguished Senator from Pennsylvania that the action taken by the Senate in confirming the nomination of Christian Herter to be Secretary of State did involve, I think, this very point; but, wisely, the President sent to the Senate the name of a man in whom the Senate had confidence and one on whom we counted and trusted to carry out properly the duties of the Office of the Secretary of State.

In terms of the President's prestige at a summit conference, assuming there will be one, I would say there is about as much significance in suggesting that the President will suffer as a result of the rejection of the nomination, as there is that the Department of Defense will collapse if the Senate supports the Senator from Maine [Mrs. SMITH] in her opposition to the promotion of General "Rosie" O'Donnell. I think the cases are roughly comparable as far as influence on the summit goes.

If those who are concerned about the loss of prestige of the President will look at the record, they will find that the Senate has never been particularly sensitive on this score in other administrations. I would say the members of the opposition party have a very special kind of responsibility in this area, although, of course, the responsibility rests upon the whole Senate. If in the past the Senate has sometimes used its power in an arbitrary manner, or in a partisan manner, it is to be regretted, just as arbitrary vetoes on the part of the President are to be regretted. The fact that there have been arbitrary vetoes is no argument for withholding the veto power or for withdrawing it from the President.

Mr. President, the growth of Government and the changes within Government have resulted in new problems, new relationships, and corresponding new responsibilities which were quite unknown in 1787. The present controversy has been accepted by some as simply the inevitable conflict between

the legislative branch and the executive. Certainly this is one aspect of the problem, but more important, I believe, is the changing role of Cabinet officers and high administrative officials, especially those in the independent, regulatory commissions.

Cabinet officers have become much more than advisers to the President and administrators of clearly stated laws of limited application. This has been especially true under the present administration. They have been delegated powers by the Congress and by the President which provide for discretionary authority in the use and interpretation of the laws. They do exercise executive power, but also a great measure of legislative and even judicial power.

It is therefore vitally important that the men in charge of these high offices be responsive to the will of the Congress, as well as to the intent of the President, as they interpret and apply the law, taking into account not only the position of the administration in power, but also that of the Congress which passed the laws which they are charged with executing or enforcing.

The veto power is to be exercised only at the time a bill is before the President for signature. We do not give each new President the right to veto laws which have been passed by previous Congresses and approved by previous Presidents.

The qualifications of administrative officials must therefore include much more than good character, good intentions, intellectual capacity for the office, and loyalty to the President.

In the course of this debate one is almost forced to conclude that if the President sends to the Senate the name of a man who has FBI clearance and a medical certificate the Senate ought to approve the nomination at once. Certainly much more than that is called for.

It is vitally important that administrative officials also understand their relationship to the Congress; that they be aware of the changes which have taken place in our Government; that they be concerned to make government truly representative and responsible; that they show a willingness and determination to cooperate with the Congress, and, to the best of their ability and understanding, to carry out the intent of Congress in order that the purpose of representative government may be achieved in the fullest possible measure.

It is this new role of Cabinet officers which requires careful and, if necessary, prolonged inquiry on the part of Senators who must judge the qualifications of nominees of the President. The official actions of these officers of Departments such as Agriculture and Commerce have direct and significant effects upon the rights and welfare of citizens of the United States. In many cases the livelihood of citizens, their economic well-being, depends upon the exercise of the discretionary power of these officers in interpreting and applying the laws.

Mr. President, much has been said about separation of powers in relation to the current hearings on the appointment of Ambassadors and in the proposed appointment of Lewis Strauss to be Secretary of Commerce. Actually,

the controversy is not over separation of powers, at all. When the executive branch of the Government is carrying out its truly executive functions, it is rarely, if ever, in conflict with Congress, because neither the Congress nor the courts have the personnel or institutions for the administration of the laws of the country.

The real question is not separation of powers, but balance of powers between Congress and the President in the field of policymaking. In part the difficulty is institutional, the result of historic changes which have taken place particularly within the last 50 years, and in part it is the result of the particular kind of administration which now controls the executive branch of our Government.

Often the administration's decisions have involved questions of policy of either a legislative or judicial character.

Mr. President, the dual position of members of the Cabinet is well expressed and described by Prof. Richard Neustadt, now an associate professor of government at Columbia University and at one time on the White House staff during President Truman's administration. In the current issue of the Reporter, June 11, 1959, Mr. Neustadt reviews a new book, "The President's Cabinet," by Richard Fenno. In the review he observes:

The Constitutional Convention is supposed to have established a government of separated powers. It did nothing of the sort. Rather, it created a government of separated institutions sharing powers. President and Congress were made independent of each other, and their separateness has been maintained from then to now by their reliance upon differing electorates. But by deliberate plan, both Capitol and White House were to share—and do share—the governmental powers of the other. And chief among the powers shared has been control of the executive departments.

A few lines later, Mr. Neustadt states:

The Constitution, on its face, gives Congress no less power than the President to supervise administration, and the power has been used as opportunity afforded. From 1789, when the first executive departments were created by act of the First Congress, authority to organize departments and to legislate what they should do, to furnish funds to do it, to investigate its doing, and to confirm appointees has made Congress a partner with the President—and sometimes the senior partner—in controlling his executive establishment.

Department heads who sit in Cabinet with the President are compelled, constitutionally, to serve two masters; he is only one of them.

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

Mr. McCARTHY. I yield to the Senator from Pennsylvania.

Mr. CLARK. I am interested in the point the Senator is making. I wonder whether the thought that Cabinet officers serve two masters could not, perhaps, be pushed a little too far. Is it not true that the primary loyalty of a Cabinet officer should be to the President, who appoints him, rather than to the Congress, since the House has nothing to do with the confirmation of his nomination and the Senate simply gives its advice and consent?

In other words, to rephrase the question, Does the Congress have any legitimate control over the philosophy of a member of the Cabinet? I happen to disagree violently with practically the entire political philosophy of Admiral Strauss, but it does not seem to me this is a justification for voting against the confirmation of his nomination. I wonder what my friend would say to that?

Mr. McCARTHY. If Admiral Strauss as Secretary of Commerce were to be called upon simply to carry out and to administer the laws as interpreted by the President, in other words, to be an executive officer for the President, I would say his political philosophy would have little bearing upon whether the nomination should be confirmed. The point is that, as Secretary of Commerce, he will be called upon to make many decisions of policy, first of all because of the very nature of the job itself, and, secondly, because, as I said, under this administration, I think, there has been more delegation of powers and responsibilities on the part of the President than there has been under any recent previous administration. As one man observed, "The President does not delegate, he just turns it loose."

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. McCARTHY. I yield.

Mr. CLARK. The Senator will understand that the inquiries I make are in the most friendly possible background and that I am really seeking information.

The Senator and I happen to agree pretty thoroughly—I observe the Senator from Oklahoma [Mr. MONROE] is present on the floor, and I think he also agrees—that the present high interest rate policy of the Secretary of the Treasury is not only wrong but it is pretty nearly catastrophic to the economy. I voted to confirm the nomination of the present Secretary of the Treasury, knowing full well that he was a conservative who espoused economic views which I consider obsolete, and one who looked at the American economy with a view which I thought did not give the true picture.

And yet it seemed to me then that I was pretty much duty bound to vote for the confirmation of his nomination. Perhaps my vote was due to the fact that the Secretary of the Treasury is a very likable and attractive gentleman, a very candid gentleman, a gentleman who, so far as I know—although I disagree with him rather thoroughly—has never attempted to hold back information from the Congress. Would the Senator from Minnesota go so far as to say, in view of his views and mine, that if Mr. Anderson's nomination were before the Senate for confirmation today, feeling as we do about his economic views, we should vote against confirmation?

Mr. McCARTHY. No; I would not, and for several reasons. In the first place, I have been a member of committees before which Secretary Anderson has testified. There was never any question that he was telling us what to do. He was answering the questions we put to him. So far as I know, he has never

invoked the privilege of executive secrecy, and he has never spoken about this subject in the way which Admiral Strauss has spoken. As will be noted from a reading of the testimony, Mr. Strauss went so far as to say, in one instance when he was being pressed for information, that even though the Attorney General told him that he had no basis for executive privilege, he would himself reserve judgment as to whether information should be revealed to the committee.

Also, with regard to the Dixon-Yates contract, after the President had said, "This is an open book," Mr. Strauss evidently concluded that this statement did not apply to him. At least, he did not open the book.

Mr. CLARK. I, too, was gravely concerned by that passage in the hearings. I happened to read it only this morning, and I wondered what manner of man this was, who, having no particular competence in the law, who, having not attended any higher educational institution—and this, of course, I do not hold against him at all, because many fine men have risen to high positions in the Government without the benefit of a college education; but at least Mr. Strauss had no formal education which would particularly qualify him to express opinions and act on judgments with respect to the meaning of the Constitution of the United States—should follow the course of action referred to by the Senator from Minnesota.

Yet here was a man who not only was entirely willing to put his own interpretation on the Constitution of the United States with respect to the questions of separation of powers and executive secrecy, but who actually said before the committee that if the Attorney General or other competent counsel advised him that he could take a particular course, he would nonetheless tend to follow his own judgment, which seems to me to be a judgment not based upon very much competence.

Mr. McCARTHY. At a later point in the hearings he declined to answer on the ground that he was not a lawyer.

Mr. CLARK. I thank my friend from Minnesota.

Mr. McCARTHY. I make one further point with regard to the Secretary of the Treasury. I am quite certain that in cases in which Congress had clearly established a policy and enacted it into law, we could count upon him to carry out the intent of Congress. So far as I know, he has never by his actions supported the position which Admiral Strauss indicated is his, as developed in the hearings, namely, that he believed that in the area of the peaceful use of atomic energy the administration and not the Congress was the policymaking body.

Mr. CLARK. Is it not clear from the Senator's knowledge of the Constitution that the Legislature is very clearly the maker of policy, and the executive is the branch which carries policy into effect?

Mr. McCARTHY. The distinction is not quite that clear. Insofar as the President has the right to exercise the veto power, he can, by indirection and by a kind of drag on the Legislature,

force acceptance, in part, of his policy position.

Mr. CLARK. But once a law is enacted by Congress and is signed by the President, it is the duty of the President to carry out the policy laid down by the law enacted by the Legislature.

Mr. McCARTHY. It is the duty of the President and all his Cabinet members.

Mr. CLARK. This would be true also of legislation enacted over his veto.

Mr. McCARTHY. Yes; it would. It would be true even of legislation enacted in a preceding administration; no matter how much he might object to the legislation, his obligation to enforce it would be clear.

Mr. President, this inquiry into the qualifications of a prospective department head is his public scrutiny. Congressmen and the President himself are tested for many months in political campaigns. Men holding these high administrative posts, whose decisions directly affect the welfare of citizens, must also be tested. It seems to me to be a proper construction of the Senate's advice and consent obligation to ask appointees to explain and to clarify their positions on policy and their concept of their office before they are approved; also, at this time of flux in Government relations, to explain their understanding of their relationships with and their obligations to the Congress itself.

If we review the conflicts and frustrations of the Congress with the administration in the past few years we find the origins, not in an irresponsible or aggressive Congress, but in an administration some of whose leaders generally lack a nicety of understanding of their responsibility to the policymaking power and decisions of Congress. Too often the situation has been one of administrative heads acting as though they were still the top management of corporations or the high officers of the Military Establishment. They set the policy and administer it largely on their own initiative. Their decisions, backed up by estimates of the Bureau of the Budget, are presented to the Congress with the authority of law, and Congress is charged with being reckless and irresponsible when it makes judgments that vary from the decrees of the supreme command.

I would not say that all the fault is on the part of the administration, but the disposition has been to obstruct and oppose what the Congress has proposed. I suggest that, in part, this may be the result of the fact that most of the persons in high office in this administration have been drawn chiefly from two fields—either from the military or from big business. Neither of those institutions is particularly democratic in its organization or in its processes. Rather, they are chain-of-command organizations, in which policy is determined by one or two, and is carried on down without much discussion or debate.

I have never been one who felt as Senator Lodge once said he felt in speaking of the role of the opposition party, that the opposition party should be the conscience of the majority party. It is my opinion that each party should have its own conscience. There is not much

profit in being the conscience of other persons, but there is much profit in being one's own conscience. I do believe that the opposition party, or the minority party, whichever the case may be, has the responsibility of serving as a kind of memory for the other party, especially when its memory seems to be defective.

I should like to read into the RECORD statements made by some of the leading Republicans of this body in former years on the question of the responsibility of the Senate to confirm or reject.

This statement was made by the Senator from New Hampshire [Mr. BRIDGES] on January 5, 1939, when he was speaking in opposition to confirmation of the nomination of Harry Hopkins to be Secretary of Commerce. The Senator from New Hampshire said:

I think the appointments of the President to his Cabinet are the concern of every man, woman, and child in the United States. Ordinarily, I believe a President should have wide latitude in the selection of his personal Cabinet unless there is some outstanding reason why that should not be so. I believe that the committee to which his nomination is referred may well take into account the characteristics of the gentleman, his past history, his past career.

On January 20, 1939, Senator BRIDGES said:

I cannot quite understand the philosophy of the Senator from Iowa, Mr. GILLETTE, when he comes here and stands before this body condemning Mr. Hopkins, and then states that he is going to vote for his confirmation. Cabinet members * * * are subject, under the Constitution, to confirmation or rejection by the Senate. True, the President should have a wide latitude in making his selections, but the Senate, under the Constitution, has a right to confirm or reject all appointments.

The Senate of the United States has had no compunctions about turning down other men who have been nominated for Cabinet positions by the Presidents of the United States and I do not believe we should have any compunctions at this time.

The Hopkins nomination was confirmed by a vote of 58 to 27. There were 23 Republicans in the Senate at that time and 21 voted against confirmation. Among those voting against confirmation were the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Wisconsin [Mr. WILEY].

Mr. President, I ask unanimous consent to have printed in the RECORD another quotation from statements made about the same time.

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

Senator James J. Davis, Republican, of Pennsylvania, said, on January 19:

"During my years in the Senate I have never opposed a Cabinet appointment by the President. I dislike to take a contrary position at this time. I know the close relationship which has existed between the President and Mr. Hopkins for many years, reaching back to their work together in New York State. The identity of their interests and the mutual bond of their viewpoints have been thoroughly well established since they have been in Washington together during the past 6 years. I believe that nothing I shall say will prevent the confirmation of Mr. Hopkins. However, I should be recreant

in my duty, unrepresentative of my constituents, and false to my own beliefs if I voted to confirm him."

Mr. McCARTHY. Mr. President, I wish now to quote from the late Senator Taft, who was leader of the Republicans while he was in the Senate. Speaking in 1945 relative to the proposed confirmation or rejection of the nomination of Henry Wallace as Secretary of Commerce, Senator Taft said:

There is, of course, no doubt about the power of the Senate to refuse to confirm a Cabinet officer (Feb. 19, 1945, CONGRESSIONAL RECORD, vol. 91, pt. 1, p. 1230).

He then took issue with a position advanced by Walter Lippmann and went on to say:

Mr. Lippmann says that we cannot refuse confirmation because we have a government based on the separation of powers, requiring that the executive and the legislature be independent of each other. Of course we have a government based on separation of powers but with regard to the appointment of officers the Constitution deliberately imposes a portion of the executive power on the Senate and makes it part of the executive for that purpose.

In the same way in conferring on the President a veto power over legislation passed by Congress the Constitution makes the President for that purpose part of the legislative arm of the Government. If the Senate cannot refuse to confirm Cabinet officers, then the President cannot veto a bill. As a matter of fact, the Constitution actually contemplates that the Senate shall be consulted before the appointment is made, in the provision that all officers, including Cabinet officers, shall be appointed with the advice of the Senate.

I suggest that if that is the proper interpretation, it would be hard to find many Democratic Senators whose advice has been sought on the nomination of Admiral Strauss.

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

Mr. McCARTHY. I yield.

Mr. MONRONEY. I am very much impressed by what the distinguished Senator from Minnesota is saying in this respect. It has been repeated almost as a credo that there have been rare times in our history when Congress has not confirmed the nomination of a Cabinet officer. Does the Senator from Minnesota not think that this has generally been because in only 18 out of 86 Congresses the Senate had been in the control of the party of the opposite political faith of that of the President, and therefore the advice portion of the advice and consent provision has generally been taken care of by consultation between the President and his majority Members of the Senate?

Mr. McCARTHY. Certainly. The record which I have just cited with regard to the confirmation of Harry Hopkins, in connection with which 21 of the 23 Republican Senators voted against confirmation, would not indicate that they had accepted generally the obligation to vote for the man who was recommended by the President.

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

Mr. McCARTHY. I yield.

Mr. CLARK. I am very much interested in the constitutional point the Senator from Minnesota has raised, with reference to the proper interpretation of the word "advice," as distinguished from "consent."

Mr. McCARTHY. I was quoting Senator Taft in that regard.

Mr. CLARK. I understand. Is the Senator not in accord with the general philosophy enunciated by Senator Taft?

Mr. McCARTHY. Yes. That tends to sustain the position which the Senator from Oklahoma has just stated.

Mr. CLARK. I agree with the Senator. How would the Senator have the advice operate in the Senate, which now consists of 98 Members, and will soon consist of 100 Members? I assume that the advice could not be by individual consultation with each Member of the Senate. That would be far too unwieldy and impractical. Would it not be perhaps the part of wisdom, when the Senate is controlled so heavily by the opposite party to that of the President, for the President at least to consult with the majority leader and the chairman of the committee and perhaps one of the senior members of the committee, as a minimum?

Mr. McCARTHY. I should say that that would be the minimum, certainly.

Mr. CLARK. I hope some member of the White House will read the RECORD, with perhaps the happy result of the adoption of a suggestion such as this one, and that a similar situation will not occur again between now and January 1, 1961.

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

Mr. McCARTHY. I yield.

Mr. MONRONEY. Is it not a fact that during the 80th Congress, which was heavily controlled in the Senate, and to a lesser degree in the House, by the Republican Party, President Truman, having had experience in the Senate, made every effort to follow the advice and consent provision of the Constitution? I remember in particular the case of Paul Hoffman, whom the President wished to appoint to head the great Marshall plan. I know that Paul Hoffman's name was cleared with Senator Vandenberg and Senator Taft before his name was even seriously considered for transmittal to the Senate.

Other lesser appointments followed the same procedure. Some were accepted by Senator Taft and Senator Vandenberg, and some, I know personally, were refused to be accepted, and were never even sent to the Senate by President Truman. Therefore the advice and consent worked in this instance, although to all intents and purposes a very hostile relationship existed on many domestic issues between the then Democratic President and the Republican Congress. It is possible to make the thing work if the President will only take the trouble to discuss and advise, as the Constitution provides, even when the Senate is controlled by a party opposite in political faith to that of the President's.

Mr. McCARTHY. I would say to the Senator from Oklahoma that the Democratic leadership in Congress has been

more than cooperative. I might observe that if more advice had been sought, and sooner, there would have been less difficulty in the Senate.

I might make one other point on this matter. Early in the Eisenhower administration, the nomination of Charles Bohlen to be Ambassador to the Soviet Union proved to be controversial. Although he was finally approved, seven Republican Members who are still in the Senate voted against confirmation. They were Senators BRIDGES, DIRKSEN, DWORSHAK, GOLDWATER, HICKENLOOPER, MUNDT, and SCHOEPFEL.

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

Mr. McCARTHY. I yield.

Mr. MONRONEY. I can well remember when a distinguished member of our party, a former Chief of the Office of Price Administration, a man who had served with great credit as Governor of the State of Connecticut, was nominated by President Truman to be Ambassador to India. Later I shall get for the RECORD the yea and nay vote on that nomination. It involved a man who now serves in the House of Representatives. He was subjected to some of the most bitter attacks I have ever heard made on the floor against any man. The President sought to send Representative BOWLES, then Governor BOWLES, to India as our Ambassador. History will show that he made one of the most distinguished records as a citizen Ambassador which has ever been made in recent years. The people of India loved him because he was a working Ambassador and he sought to help the people of India to understand the great heart of America.

Mr. McCARTHY. I thank the Senator from Oklahoma for his most worthwhile contribution.

Another general question which should be answered has to do with the record of Admiral Strauss, particularly as Chairman of the Atomic Energy Commission. This question has been discussed by other Members of the Senate, and I am sure will be discussed a great deal more before the end of the debate.

I wish to move on to consider certain other issues and charges which have been raised during the debate.

Several Republican spokesmen and columnists have argued that the opposition to Mr. Strauss is a harassment by Democrats for political gain. The Senator from Oklahoma, in his statement earlier today, has pointed out how ridiculous that charge is, since there can be no possible political gain for us in this extensive debate over the appointment of Admiral Strauss.

I might also make the point that, since we have been charged with being partisan, we might look at the record. In the committee itself six Republican members voted for Admiral Strauss. This would seem to be strong partisan support. On the other side, there were 11 Democrats, and of the 11, three voted to report favorably the nomination of Admiral Strauss. I understand that in the Senate today, as a whole, according to newspaper reports, there is only one Republican, the Senator from North Dakota [Mr. LANGER]—who has announced his

opposition to the nomination. We do not know how many Democrats are in favor of the confirmation of the nomination or how many are opposed, but the vote will be divided. It seems clear that the Republicans are more partisan, with a 100 percent record in committee, and a nearly 100 percent record on the floor of the Senate.

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

Mr. McCARTHY. I yield.

Mr. CLARK. I believe it has been very clearly pointed out by the majority leader of our party that he does not wish any Democrat to make his determination on how he will vote on the nomination on a partisan basis. In fact, he has urged each Senator to discard all partisanship in connection with it. I believe that is sound advice. I have tried to follow it in making up my mind, which is not entirely closed.

Mr. McCARTHY. The majority leader has made the point that it is an obligation in conscience on the part of every Member of the Senate. I would say this is the first consideration and should be a continuing consideration.

The second consideration is that this should not be a party matter, or one based on partisanship. The determination should be made based on the integrity of the U.S. Senate, that is, on whether we will fulfill adequately the constitutional obligations which have been placed upon us.

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

Mr. McCARTHY. I yield.

Mr. MONRONEY. While the majority leader has announced that he will not make up his mind until he has completed his study of the record, and has urged the Democrats to study the record and make up their own minds accordingly, have we not found the minority leader of the Senate, day after day, jumping up to heckle and to lead the cheers for the straight partisan position that all loyal Republicans must blindly come to the aid of their nominee?

I have never seen a more partisan demonstration in my life than that which has taken place on the floor of the Senate. I witnessed the same kind of action for some 3 weeks before our committee. The Republican position, in unified action, was to complain daily about unfairness and about the slowness of the progress of the hearings, and in general to show a partisan spirit, when such a position was not evidenced at all by the questions or the activities of the Democratic members of the Committee on Interstate and Foreign Commerce.

Mr. McCARTHY. The Senator from Oklahoma is correct. The partisan feeling was injected by the ranking minority member of the committee. But the charge of partisanship is one of the more pleasant charges made against the Democrats. We have been charged, more recently, with anti-Semitism and with giving comfort to the Communists.

The fact that the Republican supporters of Mr. Strauss have gone to such extremes is, it seems to me, an indication

of their unwillingness to debate the question of the confirmation of the nomination on the facts and on the merits.

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

Mr. McCARTHY. I yield.

Mr. CLARK. I recall one individual making comments similar to those to which the Senator has just noted. He referred to a couple of witnesses who appeared against Admiral Strauss as mad scientists.

I have received a large amount of mail on the subject of the confirmation of the nomination, much of it from distinguished members of the scientific community. With great earnestness, they spoke of their grave concern about the effect of this development upon science if the nomination should be confirmed.

I share the view of the Senator from Minnesota that some very intemperate language has been used by our friends across the aisle in their efforts to defend Mr. Strauss, language which, I suspect, will be pretty hard to justify in the eyes of history.

Mr. McCARTHY. I agree with the Senator from Pennsylvania that much of the language used has been unwarranted. Generally, after the implication has been made that the Communists will take great aid and comfort from the defeat or rejection of Admiral Strauss, a qualifying statement is always added, such as one I read in the RECORD, to the effect, "I admit that the Communists are not in any way directly responsible for the opposition to this nomination in the Senate." That is supposed to take care of the insinuation.

Mr. CLARK. The comparison made by one of our colleagues of the case of Admiral Strauss with the Dreyfus case has resulted in the sending of a large number of letters to me from distinguished and eminent Jews in the Commonwealth of Pennsylvania, protesting strongly about the issue of anti-Semitism being dragged in by the heels, and indicating that, today, strong members of the Jewish faith are very much opposed to the confirmation of the nomination.

Mr. McCARTHY. A number of editorials relating to that particular issue have already been placed in the RECORD, particularly by the distinguished senior Senator from New York [Mr. JAVITS], who has been especially disturbed over the injection of the issue into the debate.

While we are on this subject, even the Washington Evening Star, which has established a rather good reputation as a conservative, respected, and honorable newspaper, has moved over into this area. Of course, all of us are accustomed to the columns written by Gould Lincoln, Constantine Brown, and David Lawrence. We expect them to take the conservative position. They have taken it for many years. Their flags are up.

Mr. CLARK. Not to mention George Sokolsky in the Washington Post.

Mr. McCARTHY. I was thinking only of the Star. Mr. Sokolsky's flag is up, too. We know what to expect of him, also.

But so long as the Star continues to retain on its reporting staff such writers as Doris Fleeson, Mary McGrory, Jerry O'Leary, and their other fine reporters, we cannot complain too much.

I am inclined to believe that possibly the move by the Evening Star to their new quarters may have upset them somewhat, because they have now moved the discussion of the Strauss nomination over to the editorial page proper, to the mailbag, and also to the cartoons.

I am certain most Senators will recall the publication in the Star about 2 weeks ago, of a cartoon which clearly was not according to the testimony. It happened that an excited person in the committee room got up and made some charges against Admiral Strauss. This incident was taken up by the cartoonist, who showed the Senator from Tennessee [Mr. KEFAUVER] at a desk, and the Senator from New Mexico [Mr. ANDERSON] coming in with the item in his hand, saying, "Why didn't we think of this ourselves?"

In the mailbag, there have been at least two letters, one of which made some reference to the Senator from Oklahoma. The writer interpreted opposition by Democratic Senators to the confirmation of Mr. Strauss as proof that the Communist conspiracy was not altogether dead. But I think most Senators, on both sides of the aisle, know the reputation of the Senator from Oklahoma and also that of the Senator from New Mexico.

Most of us, I believe, discount this kind of letter to the editor. I do not know, though, that we can really excuse the editors themselves for publishing this sort of thing.

A recent "letter to the editor" of the Evening Star carried an interesting qualification. This was the letter written by Mr. Eric Cox, who discussed some of the charges made, not by any Senators, regarding Admiral Strauss and the question of atomic fallout and the possible effects of fallout upon the next generation. But the editor added this note:

The statements in Mr. Cox's letter are typical of the free-wheeling, unsupported attack on Mr. Strauss. Not even the dissenting Senators have accused him of the "hateful crime" for which he is indicted by Mr. Cox.

Finally, the issue has reached the editorial column proper, as is indicated by the editorial entitled "Everybody's Doing It." The editorial was provoked by the information that Tass, the Soviet news agency, had given some attention to the testimony of the scientists who had appeared before the committee. After giving a report on what was said in Russia, the Star very kindly said this:

We would like to be entirely clear about one thing. There is no suggestion here that those Senators who are opposing Mr. Strauss are making cause with the Russian propagandists, or that anyone should support Mr. Strauss simply because the Russians are against him.

That is a part of the editorial. I hope that any Members who may be challenged on this ground will resort to the editorial published in the Star, in order to defend themselves.

Mr. President, in addition to the old charges of "liberal" or "conservative" have been used. I think most of us have had to face such labeling and branding before, and I believe we shall be able to take care of ourselves.

Mr. President, the judgment which we are called upon to make is a difficult and a complex one. It would be convenient to select some one statement or case, some clear-cut example, on which to base one's decision; but it would be irresponsible to do so.

It seems to me that the judgment we must make in this case is similar to that of the conscientious voter in an election. He finds some good and some imperfection in each party and in each candidate, but he casts his vote for the total record and the habitual pattern of action which he thinks will best serve the general welfare.

I would suggest to my colleagues in the Senate—both Republicans and Democrats—that as they approach the vote on the question of confirmation of the nomination of Admiral Strauss, they keep in mind the words of the late Senator Taft, who said that the matter of confirmation of the nominations of Cabinet members and other high officials was, for a U.S. Senator, a solemn duty.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, I wish to make a brief statement in connection with the insertion of certain material in the RECORD.

It will be recalled that some weeks ago I cross-examined Secretary of State Herter in a public hearing of the Foreign Relations Committee, at the time when the question of confirmation of his nomination was pending. I was a strong supporter of confirmation of his nomination.

At that time, I asked Secretary Herter a series of hypothetical questions in regard to the Berlin crisis and what America's course of action might be if certain eventualities developed in connection with the Berlin crisis—such as, for example, if the Russians were to shoot down an American plane over Berlin. I asked those questions in order to clear up a very confused record which Secretary Herter, when he was Under Secretary of State, had left, in my opinion, in an executive session of the Foreign Relations Committee of the Senate.

Mr. President, other members of the Foreign Relations Committee will confirm that I was not the only one who was perplexed and concerned about some of the statements Secretary Herter had made, in the executive session, in regard to what America's course of action might be over the Berlin crisis.

The fact is that he left some of us very much concerned as to whether the United States might use the Berlin crisis for the starting of a nuclear war, prior to exhausting all peaceful procedures available to us under the United Nations Charter, in case Soviet Russia might make a grave mistake over the Berlin crisis—by shooting down an American plane, for example.

There happen to be some of us who are of the opinion that—dastardly though such an action on the part of Soviet Russia would be—we still should do everything we could within honor to make use of the peaceful procedures of the United Nations, to try to hold Russia to an accounting, without starting a nuclear war over it.

So, Mr. President, I asked a series of questions of Secretary Herter in a public hearing, because I thought it very important that he be given opportunity, before the vote was taken on the question of confirmation of his nomination, to clarify the record. And he did clarify it; and the transcript of that public hearing shows that I commended him for his testimony in answer to my questions.

The Christian Science Monitor, without knowing the facts, proceeded to publish a story attacking my motives for the examination of Mr. Herter. The story was completely wrong—as one usually is wrong if he seeks to pass judgment upon the motives of others, particularly when he does not have more facts than the Christian Science Monitor had when it published that story. In the midst of the story, the reporter who wrote it stated that in an attempt by me to trap and embarrass Secretary Herter, I had brought my own recording device into that public hearing, to record the testimony of Secretary Herter in answer to my questions, apparently in the hope that I might be able to embarrass him and then make some subsequent use of the recording.

Of course, that was a complete falsehood on the part of the Christian Science Monitor; there was not a scintilla of fact to support a statement of either the use of a recorder or the reason for my questions.

The article published in the Christian Science Monitor was made use of in Oregon, by the press in opposition to the senior Senator from Oregon, particularly by the Pendleton East Oregonian, in an editorial which sought to reflect upon the senior Senator from Oregon. Mr. President, if I had been guilty of bringing my own recording device into the public hearing of the Foreign Relations Committee, I would have considered it a highly improper course of action on my part and, in my book of ethics, a highly unethical course of conduct.

So I called the attention of the editor of the Christian Science Monitor and the editor of the Pendleton East Oregonian to the falsity of their statements, and I requested of them that they proceed with a retraction thereof, pending which I would hold in reservation my decision as to what legal action I would take for the damage their false stories had done to me.

On May 15, I placed in the CONGRESSIONAL RECORD the original story from the Christian Science Monitor, and the correspondence I had had with Mr. Canham and Mr. Bud Forester, editor of the Pendleton East Oregonian, about it.

At the close of my remarks, I shall ask that the further correspondence I have had with them be inserted in the CONGRESSIONAL RECORD.

The explanation of the editor of the Christian Science Monitor was that his correspondent had relied upon a statement which had been made to him by another Senator on the Foreign Relations Committee—although that Senator was never designated by the Christian Science Monitor; and the subsequent action taken unanimously by the Foreign Relations Committee demonstrates very well, I believe, why no Member of the Senate was so designated.

As I stated in my wire to Mr. Canham of May 27, his correspondent could have cleared up the whole matter at the time by asking me the simple question of whether I was making a recording, and if so why. I was the best witness; and if he was interested in reporting the truth, he certainly should have asked a question or two of me about it.

Well, Mr. President, I am pleased today to ask unanimous consent to have published in the RECORD the Christian Science Monitor's retraction of the false charge contained in the Christian Science Monitor's story to which I referred.

I try to be fair with my critics when my critics extend to me the fairness that the editor of the Christian Science Monitor has proffered.

So I ask unanimous consent that I be allowed to insert in the RECORD certain correspondence bearing upon this matter, including the article the Christian Science Monitor published retracting its charge that I had used a recorder of mine in the hearing.

The investigation of the Christian Science Monitor disclosed what I told them in the first instance, that if there was any recording taken in the hearing, it was done by the radio and television networks, without any participation in the recording by the senior Senator from Oregon.

The investigation by the Foreign Relations Committee staff showed that the networks represented at that hearing recorded the entire proceedings, including the statements made by the chairman of the Foreign Relations Committee, and all the rest of us on the committee, as they do, Mr. President, as every Senator in this body knows, at most hearings in which they feel there is an exceptional public interest.

I also ask unanimous consent that there be published in the CONGRESSIONAL RECORD a letter I received from the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], a copy of which has been sent to the editor of the Christian Science Monitor and to the editor of the Pendleton East Oregonian, calling attention to the fact that the Foreign Relations Committee, by unanimous vote, was to notify the Senate that there was no basis for any charge that I had used any recorder of my own at the Herter hearings, or was a party to any such tactic.

Mr. President, I also ask unanimous consent that an article published in the Pendleton East Oregonian on May 28, calling attention to the Christian Science Monitor correction of its mistaken story, be published. This is accepted by me, in a spirit of generosity and great charity, as a retraction by the Pendle-

ton East Oregonian, painful as I know it was to the editor. I try to be more forthright in admitting my mistakes, but at least the admission contained in the story is a recognition that they relied upon the Christian Science Monitor, they believed the story was correct, they published the story upon the basis of that belief, and, as will be seen when the story is read, they had no intention to do an injury to the senior Senator from Oregon.

I ask unanimous permission that these materials be inserted in the RECORD at this point.

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

BOSTON, MASS., May 20, 1959.

The Honorable WAYNE MORSE,
U.S. Senate, Washington, D.C.:

Thanks for your wire and letter. I had asked Mr. Stanford last Friday to get in touch with you at once, but unhappily you have been tied up. He is leaving at your office this morning a proposed item of correction to be published on our editorial page, where we ran the original piece. I hope the correction is satisfactory. If not, do let Mr. Stanford know what you think should be said. We are awfully sorry at this unfortunate misunderstanding on our part. Our reporter appears simply to have been misinformed by distinguished informants.

ERWIN D. CANHAM,

Editor, the Christian Science Monitor.

BOSTON, MASS., May 22, 1959.

The Honorable WAYNE MORSE,
U.S. Senate, Washington, D.C.:

Your letter to Stanford crossed my wire to you. Our only purpose in seeking an appointment for Stanford was to try to convey his and the Monitor's good faith in accepting information which we now find to be incorrect. Of course we are glad to print the correction. We are expanding it to include all the material of which you complain. Is there anything you wish added to it?

ERWIN D. CANHAM,

Editor, the Christian Science Monitor.

WASHINGTON, D.C., May 27, 1959.

Mr. ERWIN CANHAM,
Editor, Christian Science Monitor,
Boston, Mass.

DEAR Mr. CANHAM: The story given me by your reporter is an obvious effort by him to play down the snide and untruthful story he wrote about me in connection with the Herter hearings. He compounds it by trying to blame others for his failure to make any effort to find out the truth before committing a libelous statement to print.

At no time did Mr. Stanford speak to me, to any member of my staff, or to the staff of the Foreign Relations Committee to ascertain whether I used recording equipment. Nor did he ever speak to me or any member of my staff about my reasons for questioning Mr. Herter as I did, nor did he make any effort to learn what my views were on the Herter nomination. Instead, he attributed my entire series of questions to the evil motives of trying to "trap" and "embarrass" Mr. Herter, when the exact opposite was actually the case.

If you do print any correction of his story, please quote the entire language about me used by Mr. Stanford.

I believe it should also be made clear to your readers that he never sought any confirmation from me or from my office on anything he said about me in the April 25 story.

It does not seem to me that I should have to spend time and effort going around the country trying to catch up with the unfounded and untruthful statements of news-

paper correspondents, who are so ready and anxious to discredit everything I say or do that they accept as gospel whatever gossip they may pick up from my political opposition. I am especially sorry to find that even the reporting of the Christian Science Monitor has fallen to this low state.

You may be interested in knowing that yesterday, May 26, the Foreign Relations Committee by unanimous vote passed a motion which stated that there is no basis in fact for the Christian Science Monitor story that I had hooked up my own wire recording device to take down my exchange with Mr. Herter.

My further action in regard to your paper's libel of me will depend upon the journalistic course of action you follow in trying to correct this wrong.

Sincerely yours,

WAYNE MORSE,
U.S. Senator.

[From the Christian Science Monitor,
May 26, 1959]

IN FAIRNESS TO SENATOR MORSE

In an intimate message on April 25, in a brief reference to the Senate Foreign Relations Committee hearing on confirmation of Christian A. Herter as Secretary of State, this newspaper said:

"Senator WAYNE MORSE, Capitol gadfly, tried half a dozen ways to trap the prospective Secretary into exhibiting an inadequacy for the top State Department post.

"Mr. Herter nimbly and skillfully avoided them all. He, in fact, wound up by trapping the Senator with his own bait—a situation that so caught Mr. Morse by surprise that he startled everyone (possibly including himself) by congratulating the Under Secretary on his perspicacity.

"For some unexplained reason, Senator Morse had hooked up his own wire recording device to take down his fairly frank and forthright exchange with Mr. Herter. But if he hoped to have on tape something that could embarrass the prospective Secretary, he failed totally."

The report that the Senator from Oregon had his own recording device at his desk came from another member of the Senate committee, and at the time was accepted as fact also by other committee members.

It now appears that whatever recording, transcribing, or other mechanical devices there were at the Senator's desk were not his own, but put there by the TV and radio people who cover such hearings.

In a letter of May 15, Senator Morse says, referring to his motives for closely questioning Mr. Herter:

"My questions were intended to help him clarify some previous testimony which he had given at an executive meeting of the committee which had resulted in considerable confusion and misunderstanding as to his position on the Berlin issue. It was my purpose to give Mr. Herter a public platform from which to state his views on Berlin so his position might be strengthened relative to the many military spokesmen who have come before our committee to say that they were prepared to use military force, including nuclear war, as our primary answer to Soviet ambitions in Berlin."

We wish to thank the senior Senator from Oregon for correcting our information regarding the recording device and for explaining his purposes in questioning Secretary Herter. We regret any unfounded inferences to which our article may have led.

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
May 27, 1959.

HON. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: It is the purpose of this letter to inform you that the Committee

on Foreign Relations at an executive session on May 26 considered an article which appeared in the Christian Science Monitor on April 25, 1959. Under the byline of Mr. Neil Stanford, it was stated that at the hearing on the nomination of Mr. Herter to be Secretary of State, "For some unexplained reason, Senator MORSE had hooked up his own wire-recording device to take down his own fairly frank and forthright exchange with Mr. Herter, but if he hoped to have something on tape to embarrass the prospective Secretary, he has failed totally."

Members of the committee were at a loss to understand the reason for such a report inasmuch as the meeting under reference was public, a verbatim reporter employed by the committee was present, and the meeting was covered by press, radio, and television services. After discussion of this matter a motion was unanimously adopted stating that there was no basis in fact for the newspaper statement that Senator MORSE had hooked up his own wire recording device to take down Mr. Herter's testimony. If any recording was made it was made by the public radio and television services without any participation in such arrangements by Senator MORSE.

Very truly yours,

J. W. FULBRIGHT,
Chairman.

THE CHRISTIAN SCIENCE MONITOR,
OFFICE OF THE EDITOR,
Boston, Mass., May 28, 1959.
The Honorable WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Not having heard from you following my telegrams of May 21 and 22, we published our correction and regrets on May 26. I hope the correction seems to you to be fair and adequate. In case you have not already seen it, here is a tear sheet of our editorial page.

Let me add again that we are all very sorry about this, and that I personally regret very much that our reporter did not check more adequately. We hope it has been a useful lesson for all the members of our staff.

There is much in your telegram of May 27 with which I might argue, but, of course, there isn't any point in doing that. We certainly have no intention of being defensive, or of trying to "save face." I don't think saving face is of any importance: our deep intent is to try to get the facts straight, and as I have said before, we regret intensely that we didn't do so in this case. Newspaper work is perhaps fuller of pitfalls than most. However regrettable, this has been a useful experience for us—for it will help us to dig harder the next time.

Sincerely yours,

ERWIN D. CANHAM,
Editor.

JUNE 2, 1959.

Mr. ERWIN D. CANHAM,
The Christian Science Monitor,
Boston, Mass.

DEAR MR. CANHAM: Thank you for your letter of May 28. I had delayed replying to your wires because I had taken up Mr. Stanford's story with my colleagues in the Foreign Relations Committee and was awaiting a decision by the Committee on it before responding to you.

The committee has passed a motion disclaiming the allegation that I used any recording device in the Herter hearing; the motion is further described in the enclosed letter about it I have received from Senator FULBRIGHT.

I appreciate that your May 26 correction retracted the false statement about the wire recorder, although I continue to regard it as

an effort to minimize as much as possible the original story.

Let me say, Mr. Canham, that I have always had the greatest respect for the journalistic integrity of the Christian Science Monitor, and I certainly am cognizant of the high regard it enjoys throughout the country. But it was because of the high reputation of your paper that Mr. Stanford's story of April 25 was used in Oregon in an effort to cast discredit upon my work in the Senate Foreign Relations Committee.

Had the story appeared in a paper lacking the great prestige of the Monitor, it very likely would not have attracted much notice. That is why I was particularly aggrieved by the whole matter, and why I felt obligated to take the action I did regarding it.

Sincerely,

WAYNE MORSE.

THE CHRISTIAN SCIENCE MONITOR,
OFFICE OF THE MANAGING EDITOR,
Boston, Mass., June 11, 1959.

HON. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: Thank you very much for your letter of June 2. I appreciate the spirit in which it was written.

Erwin Canham is currently in Europe and will not return to this country until the middle of July, when I will put the letter in his hands. I have read your statement to the Senate which was printed in the CONGRESSIONAL RECORD and Senator FULBRIGHT's letter of May 27, and fully understand your position. I'm glad that the mistake has been so conspicuously corrected.

Sincerely yours,

SAVILLE R. DAVIS,
Managing Editor.

[From the Pendleton East Oregonian, May 4, 1959]

IN ANOTHER PERSPECTIVE

Because so much that he does in the U.S. Senate is in the negative rather than the positive the question is asked, again and again, does WAYNE MORSE have a useful purpose in the Senate?

This question cannot be fairly answered, we submit, in the State of Oregon. It cannot because there are so few in Oregon who can take an objective look at the question. In Oregon people are either violently for or violently against WAYNE MORSE. There is no middle ground.

To get a fair answer to the question one must get out of Oregon.

A couple years ago we got an appraisal of Senator MORSE that we considered objective. Irving Dillard, editor of the editorial page of the St. Louis Post-Dispatch, was delivering the Allen Memorial Lecture at University of Oregon. Mr. Dillard expressed the opinion that Senator MORSE served constituents all over the United States, that he was "everybody's Senator" because he was unwilling to accept anything for what it seemed to be. Senator MORSE always could be counted upon, Mr. Dillard said, to ask the questions that no other Senator would ask.

It was Mr. Dillard's opinion that the Senate needed one man who always would ask those questions.

In the wake of the unpleasant exchange between Senator MORSE and Clare Boothe Luce and an earlier exchange between Senator MORSE and the new U.S. Secretary of State, Christian Herter, it seems well to look at MORSE in the Dillard perspective. We do not say that Mr. Dillard is right or wrong, but his view of the Senator should be seen, we think, in Oregon.

Let us turn to the Christian Science Monitor for comment by Neal Sanford on the hearing held by the Senate Foreign Rela-

tions Committee on Mr. Herter. Mr. Sanford wrote this:

"His performance before the Senate committee was brilliant, for the confidence, composure, understanding, and good nature displayed.

"Senator WAYNE MORSE, Capitol gadfly, tried half a dozen ways to trap the prospective Secretary into exhibiting an inadequacy for the top State Department post.

"Mr. Herter nimbly and skillfully avoided them all. He in fact wound up by trapping the Senator with his own bait—a situation that so caught Mr. MORSE by surprise that he startled everyone (possibly including himself) by congratulating the Under Secretary on his perspicacity.

"For some unexplained reason Senator MORSE had hooked up his own wire recording device to take down his fairly frank and forthright exchange with Mr. Herter. But if he hoped to have on tape something that could embarrass the prospective Secretary, he failed totally. Mr. Herter's replies to various hypothetical questions on the danger of all-out war due to some incident or accident in the Berlin air flights were unprovocative and statesmanlike."

One can dislike the tactics Senator MORSE employed in this case. But one can also say that it was good that Mr. Herter was subjected to the MORSE test and passed it so well.

Nobody but Senator MORSE would have built such a fire under Mrs. Luce when she appeared before the Foreign Affairs Committee as a nominee to an ambassadorship in Brazil. Senator MORSE didn't look good while doing it but in the end neither did Mrs. Luce look good. Some grave doubts were raised as to her qualifications for the position. So, perhaps, Senator MORSE performed a necessary service.

Again, we do not say that Senator MORSE is right or wrong. We merely point out an aspect of the situation that has had little consideration in Oregon.

MAY 27, 1959.

Mr. BUD FORRESTER,
Editor, Pendleton East Oregonian,
Pendleton, Ore.

DEAR MR. FORRESTER: I am enclosing a copy of a telegram which I have just sent to the editor of the Christian Science Monitor. What I have said to him applies equally to you.

Sincerely yours,

WAYNE MORSE.

[From the Pendleton East Oregonian, May 28, 1959]

MORSE GAINS EXPLANATION BY MONITOR

The Christian Science Monitor on Tuesday printed an explanation of an article which had appeared in its issue of April 25 and to which Senator WAYNE MORSE had objected. Senator MORSE also criticized the East Oregonian for having used a portion of the Monitor's story in an editorial.

Under the heading, "In Fairness to Senator MORSE," the Monitor on Tuesday of this week said:

"In an intimate message on April 25, in a brief reference to the Senate Foreign Relations Committee hearing on confirmation of Christian A. Herter as Secretary of State, this newspaper said:

"Senator WAYNE MORSE, Capitol gadfly, tried half a dozen ways to trap the prospective Secretary of State into exhibiting an inadequacy for the top State Department post. Mr. Herter nimbly and skillfully avoided them all. He in fact wound up by trapping the Senator with his own bait—a situation that so caught Mr. MORSE by surprise that he startled everyone (possibly including himself) by congratulating the Under Secretary on his perspicacity.

"For some unexplained reason Senator MORSE had hooked up his own wire recording device to take down his fairly frank and forthright exchange with Mr. Herter. But if he hoped to have on tape something that could embarrass the prospective Secretary, he failed totally."

"The report that the Senator from Oregon had his own recording device at his desk came from another member of the Senate committee and at the time was accepted as fact also by other committee members. It now appears that whatever recording, transcribing, or other mechanical devices there were at the Senator's desk were not his own but put there by the TV and radio people who cover such hearings. In a letter of May 15 Senator MORSE says, referring to his motives for closely questioning Herter:

"My questions were intended to help him clarify some previous testimony which he had given at an executive meeting of the committee which had resulted in considerable confusion and misunderstanding as to his position on the Berlin issue. It was my purpose to give Mr. Herter a public platform from which to state his views on Berlin so his position might be strengthened relative to the many military spokesmen who have come before our committee to say that they were prepared to use military force, including nuclear war, as our primary answer to Soviet ambitions in Berlin."

"We wish to thank the senior Senator from Oregon for correcting our information regarding the recording device and for explaining his purposes in questioning Secretary Herter. We regret any unfounded inference to which our article may have led."

Upon being informed of this statement issued by the Christian Science Monitor, J. W. Forrester, Jr., editor of the East Oregonian, said, "When the East Oregonian used information from the Christian Science Monitor for editorial comment it had no way of knowing that the material was not entirely accurate. The East Oregonian regrets having inadvertently embarrassed Senator MORSE."

JUNE 12, 1959.

Mr. BUD FORRESTER,
Editor, Pendleton, East Oregonian,
Pendleton, Oreg.

DEAR Mr. FORRESTER: Enclosed for your information is a copy of a letter I have received from Chairman FULBRIGHT of the Senate Foreign Relations Committee which I believe will be of interest both to you and to the readers of your paper.

With kindest regards.

Sincerely,

WAYNE MORSE.

THE AIRPORT BILL

Mr. JOHNSON of Texas. Mr. President, for some time I have been attempting to have the Committee on Interstate and Foreign Commerce, which has been engaged in the conference committee on the airport bill, reach an agreement. I understand they have brought the conference report back to the Senate and intend to have it laid before the Senate, and to offer an amendment to the House amendment.

I had hoped the Senate would take action on this matter today. I am informed that several members of the committee are out of town, and that if action is intended, it will have to be postponed until next week.

Of course, I want to accommodate all Senators. I do the best I can to adjust the business of the Senate to their convenience. But I do want to have the Senate take action on this measure. I

think it is desirable legislation. I think the majority of the Senate will favor the action we expect to take.

I desire all Senators to be on notice that next week is expected to be a very busy week. We hope to have the airport measure called up the early part of the week. If Senators cannot be present, I hope they will rest in peace and will certainly not spend their time putting out "do nothing" statements, when they are not here to act upon one bill when the Senate is ready to act upon it.

A TRIBUTE TO FLAG DAY

Mr. BYRD of West Virginia. Mr. President, of all emotions experienced by Americans, the most universal, I suspect, is the overwhelming sense of pride accompanying participation in a patriotic ceremony. As a case in point, I should like to quote from a recent magazine article describing the Army's traditional retreat ceremony, from the point of view of a young veteran, who wrote:

You're all in it together, company commander and private, as the last light leaves the sky. The company is brought to parade rest, the bugles call to the colors, the band strikes up our anthem, and the troops present arms and officers salute, the flag is lowered and caught in the color sergeant's hands so that it never touches the earth. To the rookie, retreat may be the one uplifting moment in a day of grind and homesickness. But I've seen old Army men with tears in their eyes, as if they'd never before seen the flag come home for the night.

Mr. President, although few civilians observe the retreat ceremony with any regularity, there are, nonetheless, other occasions of similar nature with which all of us are amply familiar. Practically everyone has attended athletic events at one time or another, and there has experienced the sudden and impressive hush of thousands of spectators, in anticipation of the playing of "The Star-Spangled Banner"; or has stood silent on the sidewalk, as the flag passes in parade, again amidst a throng of suddenly quiet onlookers, or has participated in the modest, yet ever powerful, flag-salute ceremonies at school.

All such occasions provide an unexplainable sense of drama; and the results, I suspect, are more far reaching than is generally realized.

Of course, Mr. President, there are those who think along different lines—those who determine America's national strength in practical terms, such as manpower, mechanized equipment, and natural resources. Yet, how often I have wondered whether their theorizing is overly inclined toward practical considerations. Judging from the reaction of the average American to his flag, can it not be safely presumed that its energizing qualities are, in effect, as vital as the productivity of an industrial center, such as Detroit?

Certainly there have been many to hold similar opinions. As the famed clergyman, Henry Ward Beecher, once said of the flag:

It is not a painted rag. It is a whole national history, it is the Constitution, it is the

Government. It is the free people that stand in the Government on the Constitution.

And as President Woodrow Wilson declared, at a later time of crisis:

The things that the flag stands for were created by a great people. Everything that it stands for was written by their lives. The flag is the embodiment, not of sentiment, but of history. It represents the experiences made by men and women, the experiences of those who do and live under the flag.

While discounting the traditional exaggeration in such declarations, I nonetheless think we must recognize them as valid. And in view of their validity, we must hail this day—Flag Day, 1959—as a moment of great consequence, for it is now that we honor, not merely a symbol, but a people and a popular will, as well as our historic past and our hope for tomorrow.

Few occasions throughout the year concern so many issues worthy of such consideration, and hope, and prayer, as does Flag Day.

ADJOURNMENT TO MONDAY

Mr. KUCHEL. Mr. President, as in legislative session, and under the order previously entered, I move that the Senate stand adjourned until Monday at noon.

The motion was agreed to; and (at 5 o'clock and 11 minutes p.m.), as in legislative session, the Senate adjourned, under the order previously entered, until Monday, June 15, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 12, 1959:

ATOMIC ENERGY COMMISSION

John S. Graham, of North Carolina, to be a member of the Atomic Energy Commission for the term expiring June 30, 1964. (Re-appointment.)

IN THE AIR FORCE

The following officers to be assigned to positions of importance and responsibility designated by the President in the rank of lieutenant general, under the provisions of section 8066, title 10 of the United States Code:

Maj. Gen. Truman Hempel Landon, 93A, Regular Air Force.

Maj. Gen. Emery Scott Wetzell, 464A, Regular Air Force.

Maj. Gen. Mark Edward Bradley, Jr., 552A, Regular Air Force.

Maj. Gen. Walter Campbell Sweeney, Jr., 555A, Regular Air Force.

Maj. Gen. Archie Jordon Old, Jr., 605A, Regular Air Force.

Maj. Gen. John Paul McConnell, 611A, Regular Air Force.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 12, 1959:

IN THE ARMY

The nomination of Frank J. Kobes, Jr., for appointment as professor of physical education, U.S. Military Academy, which was received in the Senate on May 19, 1959.

The nominations of Walter H. Abbott and all nominations following thereafter, to and including Albin T. Zukowski, which were received by the Senate on May 19, 1959.

IN THE NAVY

The nominations of Donald J. Conlon and the officers following thereafter, to and including George Sabbag, which were received by the Senate on May 21, 1959.

The nominations of Benjamin B. Manchester III and other officers for permanent appointment in the Marine Corps, which were received by the Senate on May 19, 1959.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 12, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Luke 17: 5: *Lord, increase our faith.*

God of all grace and goodness, Thou hast revealed Thyself in the wonders and splendor of the world of nature, and now we would turn our thoughts to Thee in praise and adoration.

Grant that Thy spirit, which is filling the earth with so much loveliness, may breathe upon us its quickening and regenerating power that our lives shall bud and bloom into the beauty and strength of the more abundant life.

Help us to appreciate more fully that Thou art always ready to give Thyself unto us according to our need and to lead us in our quest for that nobler and higher self which we have not yet attained.

We beseech Thee to deliver us from those fears that cause us to stand trembling in weakness into that joyous faith which inspires us to walk with courage and hope.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

WHEAT PROGRAM FOR 1960-61

The SPEAKER. The unfinished business is the reading of the engrossed copy of the bill (H.R. 7246) to amend the Agricultural Act of 1949, as amended, the Agricultural Adjustment Act of 1938, as amended, and Public Law 74, 77th Congress, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title I of the Agricultural Act of 1949, as amended, is amended by adding the following new section:

"Sec. 106. Notwithstanding the provisions of section 101 of this Act, for each of the 1960 and 1961 crops of wheat price support shall be made available as provided in this section. The support price for each such crop shall be 90 per centum of the parity price thereof. Wheat of any such crop shall be eligible for price support only if (1) the farm on which the wheat is produced is in compliance with the farm wheat acreage allotment for such crop, and (2) the total acreage on the farm devoted to the production of crops supported under the Agricultural Act of 1949, as amended, which would normally be harvested in the calendar year in which the wheat crop for which the producer applies for price support is normally harvested, does not exceed the total average annual acreage on the farm devoted to the production of such price supported crops for harvest in 1957 and 1958, less an acreage

equal to 25 per centum of the farm acreage allotment for the crop of wheat for which application for price support is made which would be in effect for the farm except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended: *Provided, however,* That a farm shall be deemed in compliance with the foregoing requirements for price support for wheat if no crop other than wheat supported under the Agricultural Act of 1949, as amended, is produced on the farm for harvest in 1960 or 1961, whichever is applicable, and the farm is in compliance with the farm wheat acreage allotment. In accordance with regulations prescribed by the Secretary, the acreage of such price supported crops for 1957 and 1958 may be adjusted for abnormal weather conditions, established crop-rotation practices for the farm, diversion under soil bank programs, and to reflect history acreage preserved under section 377 of the Agricultural Adjustment Act of 1938, as amended, to the extent of any unused allotment not diverted to the production of such price supported crops. For the purposes of this section a producer shall not be deemed to have exceeded the farm acreage allotment or the acreage of permitted price supported crops for the farm unless the producer knowingly exceeded such allotment or permitted acreage. In addition, for the 1960 or 1961 crops of wheat, if marketing quotas for the particular crop are in effect and the producers on the farm meet the foregoing requirements for price support and, in accordance with regulations prescribed by the Secretary, designate an acreage on the farm equal to the 25 per centum reduction in the farm acreage allotment required under section 334(c)(2) of the Agricultural Adjustment Act, as amended, for the particular crop of wheat and do not produce any crop thereon which is normally harvested in the calendar year in which the particular crop of wheat is normally harvested and do not graze such acreage during such year, such producers shall be entitled to a wheat payment in kind from Commodity Credit Corporation stocks equal in value to one-third of the average annual yield in bushels of wheat per harvested acre on the farm for the three years immediately preceding the year for which the designation is made, adjusted for abnormal weather conditions and as determined under regulations prescribed by the Secretary, multiplied by the number of designated acres. Such wheat may be marketed without penalty but shall not be eligible for price support. The payment in kind shall be made by the issuance of a negotiable certificate which Commodity Credit Corporation shall redeem in wheat equal in value to the value of the certificate. The certificate shall have a value equal to the number of bushels determined as aforesaid multiplied by the basic county support rate per bushel for number one wheat of the crop normally harvested in the year for which the acreage is designated and for the county in which the designated acreage is located. The wheat redeemable for such certificate shall be valued at the market price thereof as determined by Commodity Credit Corporation. The Secretary shall provide by regulation for the sharing of a certificate among producers on the farm on a fair and equitable basis. The acreage on the farm which would otherwise be eligible to be placed in conservation reserve program for 1960 or 1961 shall be reduced by an amount equal to the required reduction of 25 per centum under section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended, for the wheat crop of the corresponding year. Price support at 90 per centum of parity under this section shall be made available only to cooperators and only if producers have not disapproved marketing quotas for the crop: *Provided further,* (1) That beginning with the crop of wheat to be harvested

in 1960, the total amount of price support extended to any person on any year's production of wheat through loans or purchases made or made available by the Commodity Credit Corporation, or other agency of the U.S. Department of Agriculture shall not exceed \$35,000, (2) That the term 'person' shall mean an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity, or any two or more legal entities the beneficial ownership of which is substantially the same or is in members of the same household, or a State, political subdivision of a State, or any agency thereof, except that in the case of a partnership made up of two or more separate families or households each such family or household may be considered at its option as a person for the purposes of this subsection, (3) That in the case of any loan to, or purchase from, a cooperative marketing organization, such limitation shall not apply to the amount of price support received by the cooperative marketing organization, but the amount of price support made available to any person through such cooperative marketing organization shall be included in determining the amount of price support received by such person for purposes of such limitation, and (4) That the Secretary of Agriculture shall issue regulations prescribing such rules as he determines necessary to prevent the evasion of such limitation. In case marketing quotas are disapproved, price support shall be made available to cooperators and non-cooperators at 50 per centum of parity: *Provided, however,* That for the purpose of section 407 of the Agricultural Act of 1949, as amended, the current support price for wheat shall be determined on the basis of a price support level for wheat of 75 per centum of the parity price thereof."

SEC. 2. (a) In lieu of the provisions of item (1) of Public Law 74, Seventh-seventh Congress, as amended, the following provisions shall apply to the 1960 and 1961 crops of wheat:

"(1) If a national marketing quota for wheat is in effect for any marketing year, farm marketing quotas shall be in effect for the crop of wheat which is normally harvested in the calendar year in which such marketing year begins. The farm marketing quota for any crop of wheat shall be the actual production of the acreage planted to such crop of wheat on the farm less the farm marketing excess. The farm marketing excess shall be an amount equal to double the normal yield of wheat per acre established for the farm multiplied by the number of acres planted to such crop of wheat on the farm in excess of the farm acreage allotment for such crop unless the producer, in accordance with regulations prescribed by the Secretary and within the time prescribed therein, establishes to the satisfaction of the Secretary the actual production of such crop of wheat on the farm. If such actual production is so established the farm marketing excess shall be such actual production less the actual production of the farm wheat acreage allotment: *Provided, however,* That the farm marketing excess shall be adjusted to zero if the total actual production on the farm does not exceed the normal production of the farm wheat acreage allotment. Actual production of the farm wheat acreage allotment shall mean the actual average yield per harvested acre of wheat on the farm multiplied by the number of acres constituting the farm acreage allotment. In determining the actual average yield per harvested acre of wheat and the actual production of wheat on the farm any acreage utilized for feed without threshing after the wheat is headed, or available for such utilization at the time the actual production is determined, shall be considered harvested acreage and the production thereof in terms of grain shall be appraised in accordance with regulations prescribed