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 President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 7120) 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, with an amendment, in which it requested the concurrence of the Senate.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that as soon as the hearings on the Atomic Energy Commission authorization 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 appropriation 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 before 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. President, under the unanimous consent agreement which I had entered yesterday, is the calendar to be called immediately 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 required.

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 business.

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

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

O. David Garvin, and sundry other candidates, 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 Regular Corps of the Public Health Service;

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

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

George Moore, and sundry other candidates, 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 information of Senators.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, these nominations, almost 3,000 in number, have been confirmed en bloc. I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

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

LEGISLATIVE SESSION

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

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

JOINT RESOLUTION OF WISCONSIN LEGISLATURE

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a joint resolution 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 commemorative stamps to promote traffic safety and combat the tragic loss of life on our highways. In view of the enor-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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 permits 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 prepaid 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 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 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 aginst 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. PROXMIRE. 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 exposing 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 PROXMIRE, 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 layman'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 Zengotita, 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 survery 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 freeloader, a boondoggler, 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 effctive 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 lines 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'Fiordan, 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 conditons 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:

Volume of FHA-insured mortgages and loans, 1934–58

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, upon 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 pleasure 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 Reverand 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 thing 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 percepts 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 Archibishop, 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 itself 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
fail,
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'MAHONEY. 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. PROXMIRE 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 Secretary 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 nonexcess 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. PROXMIRE 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 unfailing 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 hereinafter 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 nonimmigrant 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., approximately 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 subsecsection (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 engrosssed 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 Members 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 Debran (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;

"(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—

"(i) 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. PROXMIRE 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 OFICER. 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 develeopment 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 dinning 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. PROXMIRE 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 unwilling 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 our 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 mdeical 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' insistance 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 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.

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 stanchest 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 Daily, 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 stanch 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 Hammarskjold, 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 interdemoninational 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 unbelieveable 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 countrysides, 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, medicaments 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 materal 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 opportunities, 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 stanch 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 unlimited—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. Hammarskjold 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. Krushchev'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 mades 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 befor 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 forebearance. 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 coexistence. 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 at 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 WTOP 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 diverticulitus, 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 WTOP comment. This is Jack Jurey."

THE COMING CRISIS IN GERMANY

Mr. MANSFIELD. Mr. Persident, 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 Germanys.

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 farces 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 Germanys?

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 Germanys 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 Germanys 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 Sercetary 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 Gerthen 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 Germany 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 politicies, 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 recogniez 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. MORTON], 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 understanding 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 abilites, 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 begin 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 replacing 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 unfailing 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-numbed 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 world-wide 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 neutrallization 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 becomes 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 lipservice 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 Germany 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, aparently, 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 arranagements 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 swordspoint 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. Furtheremore, 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 purposes 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 over-simplification, 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 water 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 guarantee 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 easement 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 testimony 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 the 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, because 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 conclusons 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 turndown, 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 Department 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 steelpipe 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 possesion 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 steelpipe 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 obligations 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-nay votes were required; and on most of the yea-and-nay 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 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 noncooperators at 50 percentum 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 (3) 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 cutback 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 say?

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. MONRONEY] 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 SCHOEPPEL.

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 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 Comittee, 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 Pendleton 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 newspaper 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 Dilliard, editor of the editorial page of the St. Louis Post-Dispatch, was delivering the Allen Memorial Lecture at University of Oregon. Mr. Dilliard 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. Dilliard said, to ask the questions that no other Senator would ask.

It was Mr. Dilliard'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 Dilliard perspective. We do not say that Mr. Dilliard 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 Relations 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, Oreg.

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 energy-giving 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. (Reappointment.)

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 Wetzel, 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 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, 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

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 (3) 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 hertofore 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 allotment 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 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) (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. HALLECK (interrupting the reading of the engrossed copy). Mr. Speaker, I ask unanimous consent that the reading of the engrossed copy be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BELCHER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BELCHER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BELCHER moves to recommit the bill H.R. 7246 to the Committee on Agriculture with instructions to report the same back to the House forthwith with the following amendment: Strike out all after the enacting clause and insert in lieu thereof the following: "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, if marketing quotas are disapproved for the 1960 crop of wheat, the level of price support to cooperators and noncooperators for the 1960 crop and each subsequent crop of wheat shall be 50 per centum of the parity price of wheat: *Provided,* That if price support at 50 per centum of the parity price is in effect under this section, the current price support for wheat, for the purposes of section 407 of the Agricultural Act of 1949, as amended, 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) Item (1) of Public Law 74, Seventy-seventh Congress, as amended, is amended to read as follows:

"'(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 subsequent 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) Item (3) of Public Law 74, Seventy-seventh Congress, as amended, is amended effective beginning with the 1960 crop of wheat to read as follows:

"'(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 repealed effective beginning with the 1960 crop of wheat.

"SEC. 3. Item (12) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(12)), is repealed effective beginning with the 1960 crop of wheat.

"SEC. 4. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

"(a) Section 334 is 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.'

"(b) 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 subsequent crops;'.

"(c) Section 362 is amended by deleting the second sentence thereof.

"SEC. 5. Subsection (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.

"SEC. 6. (a) Subsection (f) of section 335 of the Agricultural Adjustment Act of 1938, as amended, is amended by deleting the last sentence thereof.

"(b) Section 336 of the Agricultural Adjustment Act of 1938, as amended, 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, the Secretary shall conduct a referendum, by secret ballot, to determine whether farmers are in favor of or opposed to such quotas. Farmers eligible to vote in such referendum shall be farmers who were engaged in the production of the crop of wheat normally harvested in the calendar year immediately preceding the calendar year in which the referendum is held. If more than one-third of the farmers voting in the referendum oppose such quota, the Secretary shall, prior to the effective date of such quota, by proclamation suspend the operation of the national marketing quotas with respect to wheat.'"

Mr. BELCHER (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the motion to recommit be dispensed with, in view of the fact that it includes the Belcher amendment which was offered on the floor and thoroughly discussed yesterday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit offered by the gentleman from Oklahoma.

Mr. BELCHER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 141, nays 224, not voting 69, as follows:

[Roll No. 78]

YEAS—141

Adair	Dixon	Merrow
Addonizio	Dooley	Michel
Alger	Dorn, N.Y.	Milliken
Allen	Dorn, S.C.	Minshall
Arends	Dwyer	Mumma
Auchincloss	Fenton	Nelsen
Avery	Ford	Nix
Ayers	Gallagher	Norblad
Baker	Gavin	O'Brien, N.Y.
Baldwin	Glenn	Osmers
Barrett	Goodell	Ostertag
Barry	Granahan	Pelly
Bass, N.H.	Green, Pa.	Pillion
Bates	Griffin	Poff
Baumhart	Hagen	Powell
Belcher	Halleck	Quie
Bennett, Mich.	Halpern	Ray
Bentley	Henderson	Reece, Tenn.
Berry	Hess	Rees, Kans.
Betts	Hiestand	Reuss
Bolton	Hoeven	Rhodes, Ariz.
Bow	Hoffman, Ill.	Riehlman
Boyle	Holt	Robison
Brewster	Holtzman	Rodino
Broomfield	Horan	Rooney
Brown, Ohio	Hosmer	Schenck
Broyhill	Jackson	Schwengel
Budge	Jarman	Short
Bush	Jensen	Siler
Byrne, Pa.	Johansen	Simpson, Ill.
Byrnes, Wis.	Judd	Simpson, Pa.
Cederberg	Keith	Smith, Calif.
Chamberlain	Kilburn	Springer
Chenoweth	Knox	Stratton
Chiperfield	Lafore	Taber
Church	Laird	Teague, Calif.
Cohelan	Lindsay	Thompson, N.J.
Collier	Lipscomb	Thomson, Wyo.
Conte	McCulloch	Van Pelt
Cunningham	McDonough	Van Zandt
Curtis, Mass.	McIntire	Wallhauser
Daddario	McSween	Walter
Dague	Macdonald	Westland
Daniels	Mack, Wash.	Wharton
Delaney	Martin	Wilson
Derwinski	Mason	Younger
Devine	May	Zablocki

NAYS—224

Abbitt	Davis, Ga.	Hemphill
Abernethy	Davis, Tenn.	Herlong
Albert	Dawson	Hogan
Alexander	Dent	Holifield
Andersen, Minn.	Denton	Holland
	Diggs	Huddleston
Anderson, Mont.	Dingell	Hull
	Donohue	Ikard
Ashley	Dowdy	Irwin
Ashmore	Downing	Jennings
Aspinall	Doyle	Johnson, Calif.
Bailey	Dulski	Johnson, Colo.
Bass, Tenn.	Durham	Johnson, Md.
Beckworth	Edmondson	Johnson, Wis.
Bennett, Fla.	Elliott	Jonas
Blatnik	Everett	Jones, Ala.
Blitch	Evins	Jones, Mo.
Boggs	Fallon	Karsten
Boland	Fascell	Karth
Bonner	Feighan	Kasem
Bowles	Fisher	Kastenmeier
Boykin	Flood	Kee
Brademas	Flynn	Kilday
Bray	Fogarty	Kilgore
Breeding	Foley	King, Calif.
Brock	Forand	King, Utah
Brooks, La.	Forrester	Kirwan
Brooks, Tex.	Fountain	Kitchin
Brown, Ga.	Frazier	Kluczynski
Brown, Mo.	Friedel	Kowalski
Burdick	Fulton	Landrum
Burke, Ky.	Garmatz	Lane
Burke, Mass.	Gary	Langen
Burleson	George	Lankford
Cannon	Grant	Latta
Carnahan	Gray	Lennon
Carter	Green, Oreg.	Lesinski
Casey	Griffiths	Levering
Chelf	Gross	Libonati
Clark	Haley	Loser
Coad	Hardy	McCormack
Coffin	Hargis	McDowell
Colmer	Harris	McFall
Cook	Harrison	McGovern
Cooley	Hays	McMillan
Corbett	Hébert	Machrowicz
Curtin	Hechler	Mack, Ill.
Madden	Passman	Smith, Iowa
Magnuson	Patman	Smith, Kans.
Mahon	Perkins	Smith, Miss.
Marshall	Pfost	Smith, Va.
Matthews	Philbin	Spence
Metcalf	Poage	Staggers
Meyer	Porter	Steed
Miller, Clem	Price	Stubblefield
Mills	Prokop	Sullivan
Mitchell	Pucinski	Teague, Tex.
Monagan	Quigley	Thomas
Montoya	Rains	Thompson, Tex.
Moorhead	Randall	Thornberry
Morgan	Rhodes, Pa.	Trimble
Morris, N. Mex.	Rivers, Alaska	Tuck
Morris, Okla.	Roberts	Udall
Morrison	Rogers, Colo.	Ullman
Moss	Rogers, Fla.	Vanik
Moulder	Rogers, Tex.	Vinson
Murphy	Roosevelt	Wampler
Murray	Rostenkowski	Watts
Natcher	Roush	Weaver
Norrell	Rutherford	Whitener
O'Brien, Ill.	Saund	Wier
O'Hara, Ill.	Saylor	Winstead
O'Hara, Mich.	Selden	Yates
O'Konski	Shipley	Young
O'Neill	Sikes	
Oliver	Sisk	

NOT VOTING—69

Alford	Hall	Santangelo
Andrews	Harmon	Scherer
Anfuso	Healey	Scott
Barden	Hoffman, Mich.	Shelley
Baring	Kearns	Sheppard
Barr	Kelly	Slack
Becker	Keogh	Taylor
Bolling	McGinley	Teller
Bosch	Mailliard	Thompson, La.
Buckley	Meader	Toll
Cahill	Miller, George P.	Tollefson
Canfield	Miller, N.Y.	Utt
Celler	Moeller	Wainwright
Cramer	Moore	Weis
Curtis, Mo.	Multer	Whitten
Derounian	Pilcher	Widnall
Dollinger	Pirnie	Williams
Farbstein	Preston	Willis
Fino	Rabaut	Withrow
Flynt	Riley	Wolf
Frelinghuysen	Rivers, S.C.	Wright
Gathings	Rogers, Mass.	Zelenko
Giaimo	St. George	
Gubser		

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Pirnie for, with Mr. Williams against.

Mr. Hoffman of Michigan for, with Mr. Whitten against.

Mrs. St. George for, with Mr. Moeller against.

Mr. Taylor for, with Mr. Slack against.

Mr. Frelinghuysen for, with Mr. Keogh against.

Mr. Canfield for, with Mr. Anfuso against.

Mr. Miller of New York for, with Mr. Preston against.

Mr. Moore for, with Mr. Pilcher against.

Mr. Becker for, with Mr. Celler against.

Mr. Cahill for, with Mr. Buckley against.

Mr. Derounian for, with Mr. Alford against.

Mr. Baring for, with Mr. Thompson of Louisiana against.

Mr. Barr for, with Mr. Rivers of South Carolina against.

Mr. Gubser for, with Mr. Gathings against.

Mr. Widnall for, with Mr. Rabaut against.

Mr. Scherer for, with Mr. Shelley against.

Mr. Fino for, with Mr. Sheppard against.

Mr. Bosch for, with Mr. Santangelo against.

Mr. Wainwright for, with Mr. Scott of North Carolina against.

Mrs. Weis for, with Mr. Riley against.

Mr. Kearns for, with Mr. Harmon against.

Mr. Mailliard for, with Mr. George P. Miller against.

Mr. Giaimo for, with Mr. Farbstein against.

Mr. Tollefson for, with Mr. Willis against.

Mrs. Rogers of Massachusetts for, with Mr. Teller against.

Mr. Utt for, with Mr. Zelenko against.

Mr. Meader for, with Mr. Wolf against.

Mr. Curtis of Missouri for, with Mr. Toll against.

Mrs. Kelly for, with Mr. Multer against.
Mr. Dollinger for, with Mr. Barden against.
Mr. Healey for, with Mr. Andrews against.

Messrs. DADDARIO, HALPERN, REECE of Tennessee, and GALLAGHER changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. COOLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 189, nays 177, not voting 68, as follows:

[Roll No. 79]

YEAS—189

Abernethy	George	Morris, N. Mex.
Albert	Granahan	Morris, Okla.
Alexander	Grant	Morrison
Andersen, Minn.	Gray	Moss
	Green, Oreg.	Moulder
Anderson, Mont.	Griffiths	Murray
	Gross	Natcher
Ashmore	Hardy	Norrell
Aspinall	Hargis	O'Brien, Ill.
Avery	Harris	O'Hara, Ill.
Bailey	Hays	O'Hara, Mich.
Bass, Tenn.	Hébert	O'Konski
Beckworth	Hemphill	Oliver
Bennett, Fla.	Hogan	Passman
Bennett, Mich.	Holifield	Patman
Berry	Holland	Perkins
Blatnik	Huddleston	Pfost
Blitch	Hull	Poage
Boggs	Ikard	Porter
Bonner	Jarman	Price
Bowles	Jennings	Prokop
Boykin	Johnson, Calif.	Rains
Brademas	Johnson, Colo.	Randall
Breeding	Johnson, Wis.	Reuss
Brock	Jones, Ala.	Rivers, Alaska
Brooks, La.	Jones, Mo.	Roberts
Brooks, Tex.	Karsten	Rogers, Colo.
Brown, Ga.	Karth	Rogers, Tex.
Brown, Mo.	Kasem	Roosevelt
Burdick	Kastenmeier	Roush
Burke, Ky.	Kee	Rutherford
Burleson	Kilday	Saund
Cannon	Kilgore	Selden
Carnahan	King, Calif.	Shipley
Carter	King, Utah	Short
Casey	Kitchin	Sikes
Chelf	Kluczynski	Sisk
Chenoweth	Landrum	Smith, Iowa
Coad	Langen	Smith, Kans.
Cohelan	Lennon	Smith, Miss.
Colmer	Lesinki	Spence
Cook	Levering	Springer
Cooley	Libonati	Staggers
Davis, Ga.	Loser	Steed
Davis, Tenn.	McCormack	Stubblefield
Dawson	McDowell	Sullivan
Denton	McFall	Teague, Tex.
Diggs	McGovern	Thomas
Dingell	McMillan	Thompson, La.
Dowdy	McSween	Thompson, Tex.
Doyle	Machrowicz	Thornberry
Durham	Mack, Ill.	Trimble
Edmondson	Madden	Udall
Elliott	Magnuson	Ullman
Everett	Mahon	Vinson
Evins	Marshall	Wampler
Fascell	Matthews	Watts
Fisher	Metcalf	Weaver
Flood	Miller, Clem	Whitener
Flynn	Mills	Wier
Foley	Mitchell	Winstead
Forrester	Montoya	Young
Fountain	Moorhead	Zablocki
Frazier	Morgan	

NAYS—177

Abbitt	Baumhart	Bush
Adair	Belcher	Byrne, Pa.
Addonizio	Bentley	Byrnes, Wis.
Alger	Betts	Cederberg
Allen	Boland	Chamberlain
Arends	Bolton	Chiperfield
Ashley	Bow	Church
Auchincloss	Boyle	Clark
Ayres	Bray	Coffin
Baker	Brewster	Collier
Baldwin	Broomfield	Conte
Barrett	Brown, Ohio	Corbett
Barry	Broyhill	Cunningham
Bass, N.H.	Budge	Curtin
Bates	Burke, Mass.	Curtis, Mass.
Daddario	Holt	Ostertag
Dague	Holtzman	Pelly
Daniels	Horan	Philbin
Delaney	Hosmer	Pillion
Dent	Irwin	Poff
Derwinski	Jackson	Powell
Devine	Jensen	Pucinski
Dixon	Johansen	Quie
Donohue	Johnson, Md.	Quigley
Dooley	Jonas	Ray
Dorn, N.Y.	Judd	Reece, Tenn.
Dorn, S.C.	Keith	Rees, Kans.
Downing	Kilburn	Rhodes, Ariz.
Dulski	Kirwan	Rhodes, Pa.
Dwyer	Knox	Riehlman
Fallon	Kowalski	Robison
Feighan	Lafore	Rodino
Fenton	Laird	Rogers, Fla.
Fogarty	Lane	Rooney
Forand	Lankford	Rostenkowski
Ford	Latta	Saylor
Friedel	Lindsay	Schenck
Fulton	Lipscomb	Schwengel
Gallagher	McCulloch	Siler
Garmatz	McDonough	Simpson, Ill.
Gary	McIntire	Simpson, Pa.
Gavin	Macdonald	Smith, Calif.
Glenn	Mack, Wash.	Smith, Va.
Goodell	Martin	Stratton
Green, Pa.	Mason	Taber
Griffin	May	Teague, Calif.
Hagen	Merrow	Thompson, N.J.
Haley	Meyer	Thomson, Wyo.
Hall	Michel	Tuck
Halleck	Milliken	Vanik
Halpern	Minshall	Van Pelt
Harrison	Monagan	Van Zandt
Hechler	Mumma	Wallhauser
Henderson	Murphy	Walter
Herlong	Nelsen	Westland
Hess	Nix	Wharton
Hiestand	Norblad	Wilson
Hoven	O'Neill	Yates
Hoffman, Ill.	Osmers	Younger

NOT VOTING—68

Alford	Gubser	Rogers, Mass.
Andrews	Harmon	St. George
Anfuso	Healey	Santangelo
Barden	Hoffman, Mich.	Scherer
Baring	Kearns	Scott
Barr	Kelly	Shelley
Becker	Keogh	Sheppard
Bolling	McGinley	Slack
Bosch	Mailliard	Taylor
Buckley	Meader	Teller
Cahill	Miller, George P.	Toll
Canfield	Miller, N.Y.	Tollefson
Celler	Moeller	Utt
Cramer	Moore	Wainwright
Curtis, Mo.	Multer	Weis
Derounian	O'Brien, N.Y.	Whitten
Dollinger	Pilcher	Widnall
Farbstein	Pirnie	Williams
Fino	Preston	Willis
Flynt	Rabaut	Withrow
Frelinghuysen	Riley	Wolf
Gathings	Rivers, S.C.	Wright
Giaimo		Zelenko

So the bill was passed.

The Clerk announced the following pairs:

Mr. Buckley for, with Mr. Barr against.
Mr. Rivers of South Carolina for, with Mrs. Kelly against.
Mr. Preston for, with Mr. Healey against.
Mr. Keogh for, with Mr. Baring against.
Mr. Riley for, with Mr. Dollinger against.
Mr. Rabaut for, with Mr. Fino against.
Mr. Anfuso for, with Mr. Moeller against.
Mr. Harmon for, with Mr. Becker against.
Mr. Santangelo for, with Mr. Taylor against.
Mr. Pilcher for, with Mr. Utt against.
Mr. Farbstein for, with Mr. Hoffman of Michigan against.
Mr. Williams for, with Mr. Frelinghuysen against.
Mr. Celler for, with Mr. Meader against.
Mr. Willis for, with Mr. Pirnie against.
Mr. Multer for, with Mr. Canfield against.
Mr. Whitten for, with Mrs. St. George against.
Mr. Shelley for, with Mr. Widnall against.
Mr. Sheppard for, with Mr. Scherer against.
Mr. George P. Miller for, with Mr. Miller of New York against.
Mr. Alford for, with Mr. Kearns against.
Mr. Andrews for, with Mr. Bosch against.
Mr. Scott for, with Mrs. Rogers of Massachusetts against.
Mr. Zalenko for, with Mr. Curtis of Missouri against.
Mr. Barden for, with Mr. Gubser against.
Mr. O'Brien of New York for, with Mr. Moore against.
Mr. Gathings for, with Mr. Mailliard against.
Mr. Slack for, with Mr. Derounian against.
Mr. Wright for, with Mr. Tollefson against.
Mr. Teller for, with Mr. Wainwright against.
Mr. Toll for, with Mr. Giaimo against.
Mr. Wolf for, with Mrs. Weis against.

Mrs. GRANAHAN and Mr. O'HARA of Illinois changed their vote from "nay" to "yea."

Mr. GLENN and Mr. BENTLEY changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BROOKS of Louisiana. Mr. Speaker, I have given the matter of the new wheat bill a great deal of thought and study. I have listened to all debates on this subject and have studied the terms of H.R. 7246, a bill by Mr. Cooley providing for a 2-year wheat production program. I have also studied the Belcher amendment and heard Congressman BELCHER discuss this amendment.

I am not satisfied with the committee bill nor am I satisfied with the Belcher amendment. I am not satisfied with either of these bills because they do not hold out to the country hope of early relief from the intolerable load which our Government is carrying in the way of accumulated surplus wheat. A million dollars per day for storage alone is a tremendous item to carry in a budget already "busting out" at its seams. A bill presented should offer earlier and more definite relief than either proposal presents.

In this country normally we should expect shortages of wheat rather than huge and increasing surpluses. Our population is growing at the rate of 3 million people a year. Our consumption of wheat and flour should be increasing yearly. The demand for wheat production should be constantly growing in the United States of America and I think, to be perfectly frank, it is on the increase.

The bad spot in reference to the consumption of wheat surpluses is the export field. In spite of our increasing production and in spite of the more prosperous condition of the economy of many parts of the world, our wheat exports are on the decline. Every indication points to further decline in exports of wheat in the future.

Consumption of wheat in this country has been on the increase but not rapidly enough. We have included flour in the free school lunch program as a surplus commodity. We have provided it as a

surplus commodity for beneficiaries in the social security program, for hospitals and other charitable places generally, and we have included it in the oversea giveaway program. Our State Department would have you believe that it is pushing the sale of wheat in its general activities. In spite of all of these efforts to sell or even give away wheat and flour our surpluses continue to grow and the carrying charges for these surpluses continue to mount.

I can recall just a few years ago when our production of wheat seldom exceeded 1 billion bushels per year, and this included both winter and spring plantings. It seems however now that we practically never produce a yearly crop of wheat which does not exceed a billion bushels. The crop for instance for the current year is estimated at something like 1,200 million bushels. The figures for 1960 will probably be even greater so experts tell me.

With all of these high signs along the road that we have been traveling, it is time to take drastic action in the wheat program. The Government cannot continue to finance a commodity produced as has wheat been produced in the past.

The Belcher amendment has some good points. At the same time, the Belcher amendment would completely eliminate the small man with a 15-acre exemption. The committee bill in this respect would reduce the 15-acre exemption to 12 acres. It seems to me it is utterly unfair to a man who has been producing a few bushels of wheat each year under the 15-acre exemption to prohibit him from growing any wheat whatsoever and thus deny this production to him.

The committee bill reduces acreage by 25 percent. It has been estimated that this 25-percent reduction in acreage will bring about some 15- to 18-percent reduction in the number of bushels grown or harvested. Such a situation would assist in reducing the surpluses to some extent.

All in all the high signals of danger fly all around us. Unless the bill adopted today brings about a sharp immediate curtailment, the agricultural section and the economy of this country are in for an economic storm.

Mr. COFFIN. Mr. Speaker, although I am not an expert in agricultural matters, I want to set forth for the record my position on the agricultural issues faced by us this past week. I am today voting against both the motion of the gentleman from Oklahoma [Mr. BELCHER] to recommit this wheat bill and against final passage. On Wednesday, I took similar action on the tobacco bill.

This I do to signal my deep conviction that neither measure moves far, if at all, toward a tolerable policy. But I have a deeper conviction that we have not done all that we should have done to probe deeply into the entire field of national agricultural policy. When I voted with the committee a year ago for a price freeze, it was upon the commitment that this would give us a year within which to come up with an overall farm program.

Even though the freeze was vetoed, we still had the intervening year in which to take a long look at our future needs, our past mistakes, and the alternative approaches open to us. It seems to me we should have begun by the preparation of a comprehensive agenda, proceeded to accumulate the facts in an orderly manner, and seek out the reasoned opinions of agricultural economists, historians, statisticians, land-grant college experts, and others. This could have been done in an atmosphere free of acrimony over the present issues which divide reasonable men in a climate of unreasonableness.

Building on the foundation of a broad, unimpeachable study of the probable consequences of various policy approaches—which does not exist either in the offices of the executive branch or the Halls of Congress—is it beyond hope that solutions could be reached to which most could agree? I think this is not beyond reach. In any event, the attempt should be made with the utmost determination to reach solutions.

It is with this faith in the orderly mental processes that I have recently introduced House Resolution 291, which calls for such a study.

It is because this type of approach has not been vigorously or imaginatively pursued, that I vote against both wheat proposals as being patchwork gestures, differing only in the degree of their futility.

Mr. Speaker, my simple observation, to adapt a line from "My Fair Lady," is: our brain on grain has been mainly used in vain.

Mr. MORRIS of Oklahoma. Mr. Speaker, on this date, June 12, 1959, I voted for H.R. 7246 the wheat bill, as it was the only real choice I had since my amendment was defeated; but if I could have my way, I would not enact any wheat bill that would cut the price, below at least 90 percent of parity one penny, nor the present acreage one fraction of an acre of the small farmer. I would allow him an ample amount to assure him of a return, as to his wheat raised, of enough to make a good living for himself and family. And I would allow also, sufficient guaranteed price and acreage to even larger farmers and would make the cuts as to price and acreage against the big big business farmer. This would be only fair and just and would help solve the wheat problem.

Mr. NELSEN. Mr. Speaker, relative to the wheat legislation, I might comment that the Second Congressional District is not predominately a wheat area, but we all subscribe to the theory that any segment of our agricultural economy has a direct connection with all of its related commodities.

During the past many years, agricultural programs have become political vehicles to a great extent. Frequently, fundamental economics have been ignored and instead political expediency has become the rule rather than the exception. On June 5, a letter reached my desk relative to the tobacco legislation, and taking from the letter paragraph two:

> If the price of our tobacco is to be stabilized in the world markets, this bill must be enacted at this session. The President and the Secretary of Agriculture have said time and again that under the present system our tobacco is being priced out of the world market. Under the present program, price supports for tobacco will continue to rise, which will be ruinous to our export trade.
>
> Every Member of Congress representing the major tobacco-growing districts and all segments of the tobacco industry, the growers, warehousemen, tobacco dealers, buyers, and exporters agree with the President and the Secretary that price supports on tobacco should be stabilized and favor immediate passage of the Jordan-Cooper bill.

This letter was signed by over 30 Congressmen representing tobacco-growing areas and included the name of HAROLD COOLEY, the chairman of the Committee on Agriculture. When this letter came to my attention, I was encouraged because it expressed a recognition of sound economics and a realization of the fact that in order to enact a sound program, many factors had to be taken into consideration. I listened to the debate on the wheat bill on the floor and again was encouraged by the fine presentation of Congressman ALBERT, in which he called attention to the give and take necessary and also pointed out the wide difference of opinion that existed among farm organizations as to the type of legislation acceptable and effective. Congressman BELCHER presented his point of view in a fair and reasonable manner—both champions recognizing the need of compromise and the possibility that some amendments could with profit be considered.

In my own case, I happen to be a farmer, I am proud of it and I personally would not want to support any program that is unfair. I have never negotiated a commodity loan of any kind on the products from my farm, but I do know that some sort of program is necessary for the stabilization of the agricultural economy and I also know some safeguards are necessary in this field because of the disaster that might befall our entire domestic economy because of a weak link. In this case the weak link could be agriculture. When the session started, a number of us who are not members of the Agriculture Committee did a little research work, had some meetings to discuss ways and means of accomplishing something in the field of agriculture. We studied the committee proposals, the minority reports, and came on the floor with the feeling that there was a chance that some constructive amendments might well be considered in the interest of a wholesome, sound program.

In my own case, I feel that the so-called Belcher amendment did not meet all of the requirements necessary. I also feel that the committee bill was not the measure that could do the most good in the wheat problem that we face. I personally had some amendments that I would like to have offered, as did other Members of the House of Representa-

tives, but all of us were thoroughly disappointed at the action that was taken on the floor by the Democratic majority, when all debate and discussion on amendments that we might wish to offer was cut off.

In the 20 years that I have been associated with Government in the legislative branch I have never witnessed or experienced as helpless a situation as was our misfortune to experience in the Democratic move to cut off debate on this measure.

Those of us who are not members of the Committee on Agriculture listened attentively to the discussions and explanations and the amendments that were offered when the wheat bill came to the full House.

Some of us certainly had in mind that following the discussion we would have an opportunity to suggest improvements to the measure under the established rules of the House if we felt then that improvements were necessary.

We sit in a branch of the most important deliberative body in the world, each of us representing voters in a congressional district.

As Members of Congress we are not paid to come down here for a joyride, or to fish for catfish in the Potomac. We are down here to do something about the problems facing our Nation, and it is tragic and unfair when the Democratic majority can deny us the opportunity to help solve one of the biggest problems facing our Nation, namely the farm problem.

It makes mockery of our legislative process to be told you can submit an amendment, but not say one word in explaining it. To me it seems grossly unfair.

With reference to the Belcher amendment, experience indicates that the 15-acre grower has contributed to a great degree to the national problem of surplus, and I feel there is justification for readjustment in that field, but I would also like to suggest that the larger producer should likewise be asked to cut back in his production acres. Such an amendment would have been very easy to draft.

In the instance of the committee bill, the scale tipped the other way, where, in the case for the purpose of example, a 20-acre producer would be asked to reduce 25 percent, and a 15-acre producer would be asked to reduce 20 percent, and it would seem to me that in this case the requirements went to the opposite extreme.

Relative to the payment in kind, which permitted a producer to collect a third of his normal production on acres reduced, the big grower that we talked so much about would be given a 90 percent of parity price support for complying with reduced acres, and in addition would be paid by a certificate representing in bushels of wheat one-third of the production on the reduced acres. He again in turn could put this certificate on the market, and for the purpose of an extreme example, a producer in the large bracket, of which we may find many who have benefited by a loan of over $200,000, could conceivably be collecting payment in kind in the amount of over 3,000 bushels, worth some $7,500. For all practical purposes the committee bill denied payments in kind on those farms which are affected by the 15-acre exemption.

The only way these small farms would be eligible for the payment in kind under the bill would be if such farms complied with their allotments. As a matter of fact, over 840,000 farms have allotments of less than 5 acres. Very few, if any, of these farms comply with their allotments, since they take full advantage of the exemption. One of my amendments was designed to make payments in kind for the total exemption during a specified period and thus alleviate to a large degree the effect that this exemption has had on the surplus situation in wheat and on the shift of wheat production from the normal wheat-producing areas. My amendment contained a limitation which would have denied a windfall to the large producer while removing by incentive the small farm production which has been one principal factor in the present surplus situation.

Relative to an appraisal of the bill under consideration, I would like to call attention to the minority report in the RECORD, and also to quote in conclusion the additional minority views expressed by my two distinguished colleagues, Congressmen QUIE and SHORT:

ADDITIONAL MINORITY VIEWS

H.R. 7246 does not provide the necessary legislative machinery to either implement an effective control of wheat production or to provide an acceptable choice to wheat farmers. We feel that several fatal defects exist in this bill which purports to offer the choice of strict controls and high price supports or free production and low price supports. These defects are as follows: First: The evidence is clear that a 25-percent reduction in farm wheat acreage allotments, when coupled with payments in kind in wheat, simply will not cut into the excess production of wheat. At least a 30-percent reduction seems necessary to begin to effectively do the job. Second: As pointed out in the minority views, H.R. 7246 does not require strict cross-compliance, a feature which is absolutely essential if there is to be true and effective control of the acreage retired from wheat production so as to prevent an adverse effect on other commodities. Third: Although this bill reduces the 15-acre farm marketing quota exemption, it continues in existence a loophole in the law which has caused an estimated 600 million bushels of wheat to accumulate in Government storage bins. Since the bill imposes strict penalties for overproduction on farmers in the commercial wheat area where wheat is often the best crop which a farmer can raise, it seems only just that the present 15-acre exemption be repealed and thus require all producers to conform to their allotments. Fourth: Agricultural history during the last 25 years has been a sad testimonial to the fact that acreage controls alone are not effective tools in controlling the production of farm commodities. In spite of this experience, H.R. 7246 continues to attempt to control wheat production on the sole basis of acreage allotments. We feel that if legislation is to give the farmer an effective control program it should and must embrace a combination of bushelage and acreage allotments. Fifth: The alternative offered wheat farmers in the referendum means price support at 50 percent of parity or $1.18 per bushel. We feel this is too low and the choice should be more in line with that offered to corn farmers in their referendum held last fall. We also feel that one referendum would be sufficient for the 2 years that H.R. 7246 is to be in effect.

ALBERT H. QUIE.
DON L. SHORT.

WHEAT PROGRAM FOR 1960–61

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1968) to strengthen the wheat marketing quota and price support program and for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

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 1 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 Secretary is authorized and directed to offer the operator of each farm for which an allotment is established under the Agricultural Adjustment Act of 1938, as amended, a choice of—

"(A) complying with the farm acreage allotment determined pursuant to the Agricultural Adjustment Act of 1938, as amended, with price support at 65 per centum of the parity price therefor, or

"(B) reducing the acreage of wheat below the farm acreage allotment by not less than 10 per centum of such allotment with price support at 75 per centum of the parity price therefor, or

"(C) reducing the acreage of wheat below the farm acreage allotment by not less than 20 per centum of such allotment with price support at 80 per centum of the parity price therefor.

To be eligible for price support, producers who elect choice (B) or choice (C) must not knowingly exceed the wheat acreage for the farm applicable under such choice. Any person operating more than one farm, in order to be eligible for either choice (B) or choice (C), must elect such choice for all farms for which he is the operator. The Secretary shall determine and announce the support price for producers who elect choice (A), choice (B), and choice (C), respectively, in advance of the planting season on the basis of the statistics and other information available at that time, and such support price shall be final. As soon as practicable after such announcement, the Secretary shall cause the operator (as shown on the records of the county committee) of each farm for which an allotment is established under the Agricultural Adjustment Act of 1938, as amended, to be notified of the alternative choices available to him. The operator of each farm, within the time prescribed by the Secretary, shall notify the county committee in writing whether he desires choice (B) or choice (C) to be effective for the farm. If the operator fails to so notify the county committee within the time prescribed, he shall be deemed to have elected choice (A). The choice elected by the operator shall apply to all the producers on the farm. Price support under this section shall be made available only if producers

have not disapproved marketing quotas for the crop. In case marketing quotas are disapproved, price support to cooperators shall be as provided in section 101(d)(3). Whether marketing quotas are approved or disapproved, price support shall be made available only if acreage allotments under the Agricultural Adjustment Act of 1938, as amended, are in effect for the crop and only to cooperators. No price support for wheat shall be made available to producers outside the commercial wheat-producing area. The acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of wheat in order to be eligible for price support as provided in choice (B) or choice (C) shall be considered acreage devoted to wheat for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended. In applying the provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(6)), and section 2(f) of the Wheat Act of 1959, relating to reduction of the storage amount of wheat, the acreage of wheat determined by the Secretary to have been diverted in order to be eligible for price support as provided in choice (B) or choice (C) shall be regarded as wheat acreage of normal production on the farm. For the purposes of section 407 of the Agricultural Act of 1949 the current support price shall for each of the 1960 and 1961 crops of wheat be deemed to be a price determined on the basis of a level of support of 75 per centum of the parity price as of the beginning of the marketing year."

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) 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. 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."

(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 a rate per bushel equal to the support price per bushel established for producers electing choice (A) under section 106 of the Agricultural Act of 1949, as amended.

(c) In lieu of the provisions of item (3) 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 and normal production of the excess acreage. If the farm marketing excess so computed is adjusted downward on the basis of actual production, 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) of Public Law 74, Seventy-seventh Congress, as amended, 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 fifteen acres: *Provided, however,* That a farm marketing quota on the 1960 and 1961 crops of wheat shall be applicable to—

"(i) any farm on which the acreage of wheat exceeds twelve acres;

"(ii) any farm on which any wheat is planted if no wheat was planted on such farm for harvest in the calendar years 1957, 1958, and 1959; and

"(iii) any farm on which any wheat is planted if any of the producers who share in the wheat produced on such farm share in the wheat produced on any other farm."

(e) Item (12) of Public Law 74, Seventy-seventh Congress, as amended, shall not be applicable to the 1960 and 1961 crops of wheat.

(f) In lieu of the provisions of section 326(b) of the Agricultural Adjustment Act of 1938, as amended, the following provisions shall apply to the 1960 and 1961 crops of wheat:

"(b) If a farm is in compliance with its farm acreage allotment for any crop of wheat and the actual production of such crop of wheat on the farm is less than the normal production of the farm wheat acreage allotment; an amount equal to the deficiency may be marketed without penalty from wheat of previous crops stored by the producers on the farm to postpone the payment of marketing quota penalties."

(g) Section 335(d) of the Agricultural Adjustment Act of 1938, as amended, shall not be applicable to the 1960 and 1961 crops of wheat.

(h) Section 335(f) of the Agricultural Adjustment Act of 1938, as amended, 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;".

SEC. 3. Section 101(d) of the Agricultural Act of 1949, as amended, is amended by striking out paragraph (5).

SEC. 4. The Agricultural Act of 1949, as amended, is amended, effective beginning with 1960 production, by inserting after section 420 the following new section:

"SEC. 421. The total amount of price support extended to any person on any year's production of agricultural commodities through loans or purchases made or made available by the Commodity Credit Corporation, or other agency of the United States Department of Agriculture, shall not exceed $35,000. The term 'person' shall mean any 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. The Secretary shall issue regulations prescribing such rules as he determines necessary to assure a fair and effective application of such limitation, and to prevent the evasion of such limitation. In the case of any loan to, or purchase from, a cooperative marketing organization the limitation of $35,000 shall not apply to the amount of price support extended to 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 extended to such person for the purpose of applying such limitation."

SEC. 5. This Act may be cited as the "Wheat Act of 1959".

Mr. COOLEY. Mr. Speaker, I offer an amendment to strike out all after the enacting clause and to substitute the language of H.R. 7246 as passed by the House.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Strike out all after the enacting clause of S. 1968 and insert the provisions of H.R. 7246 as passed by the House.

The amendment was agreed to.

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

A similar bill, H.R. 7246, was laid on the table.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the bill S. 1968 to strengthen the wheat marketing quota and price support program, request a conference with the Senate, and that the Speaker appoint conferees.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. COOLEY, POAGE, GRANT, ALBERT, HOEVEN, DAGUE, and BELCHER.

MEMBERS OF THE UNITED STATES DELEGATION OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of Public Law 86–42, the Chair appoints as members of the U.S. delegation of the Canada-United States Interparliamentary Group the following Members on the part of the House: Mrs. KELLY of New York, Chairman; Mr. COOLEY of North Carolina; Mr. ASPINALL of Colorado; Mr. YATES of Illinois; Mr. IKARD of Texas; Mrs. SULLIVAN of Missouri; Mr. COFFIN of Maine; Mr. DULSKI of New York; Mr. MERROW of New Hampshire; Mr. FORD of Michigan; Mr. BUDGE of Idaho.

MUTUAL SECURITY PROGRAM

Mr. JUDD. Mr. Speaker, I ask unanimous consent to have until midnight tonight to file minority views on House Concurrent Resolution 188.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

COAL RESEARCH AND DEVELOPMENT ACT

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 284 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6596) to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes.

After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. TRIMBLE. I yield to the gentleman from Indiana.

Mr. HALLECK. I take this time for the purpose of inquiring of the majority leader as to the program for next week.

Mr. McCORMACK. Prior to giving the program, if the gentleman will yield, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. I further ask unanimous consent that Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. In response to the inquiry of my friend, as I stated yesterday, on Monday the Consent Calendar will be called and then there are six suspensions: One, relating to the acquisition of land in Guam; another modifying the pension program of veterans; a bill authorizing appropriations for the Atomic Energy Commission; extension of interstate compacts on oil and gas; airline pass privileges; and one providing for payment of annuities to widows and dependent children of Comptrollers General. They may not be brought up in that order. Then after that the Mutual Security Authorization Act of 1954, H.R. 7500, will be brought up. After the disposition of that bill, the following bills will be in order: S. 1120, amending the Federal Reserve Act; H.R. 3, rules of interpretation in relation to State laws; H.R. 4957, a bill relating to the admission of evidence. I think that is in reference to the Mallory decision.

Then there is the usual reservation that any further program will be announced later and that conference reports may be brought up at any time.

Mr. HALLECK. Now, as to the balance of the day, I understand we are to proceed with the bill to create a Commission for Coal Research.

Mr. McCORMACK. Yes.

Mr. HALLECK. Originally, there had been an agreement about no votes today, which, of course, was breached when things developed as they did yesterday, and we all understand that. I have been asked, I might say to the majority leader, what might happen if a record vote should develop in respect to the Coal Commission matter, whether that might go over until Monday.

Mr. McCORMACK. I am sure my friend from Indiana and all Members of the House know that I am only too glad to cooperate even when I might be subject to a little uncomfortable admonition that I do not think I deserve, but I do not apologize for that, but I always like to do everything I can to help the Members of the House. As far as I am concerned, if there is any rollcall on that bill, I am perfectly willing to have it go over until Monday. I cannot give the reason I gave yesterday for no rollcalls today, which was a very perfect and proper one. I can say that there are some Members on both sides who are away on official business, I think attending Kings Point Academy in New York, both Democrats and Republicans, and I think we should have consideration for those Members.

Mr. HALLECK. I might add to that fact that a great part of the business today would not have occurred but for things which developed yesterday. However, that is beside the point.

Mr. McCORMACK. In order to clarify the atmosphere so that we will know, Mr. Speaker, in the event of any rollcall in connection with the research bill on coal, or any rollcall today, I ask unanimous consent that they be postponed until Monday of next week.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Reserving the right to object, Mr. Speaker—well, I will just simplify this by objecting.

Mr. McCORMACK. Will the gentleman reserve that?

Mr. GROSS. Yes, I reserve it.

Mr. McCORMACK. The gentleman intends to object?

Mr. GROSS. Yes.

Mr. McCORMACK. I withdraw the request, Mr. Speaker.

COAL RESEARCH AND DEVELOPMENT ACT

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and myself such time as I may consume.

Mr. Speaker, House Resolution 284 provides for the consideration of H.R. 6596, which would encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes. The resolution provides for an open rule with 1 hour of debate.

H.R. 6596, as amended by the Committee on Interior and Insular Affairs, creates a new independent agency to be known as the Coal Research and Development Commission. The Commission will consist of three members appointed by the President with the advice and consent of the Senate for 3-year terms.

The Commission would be directed to carry out a research program to, first, develop new and more effective uses for coal; second, improve and expand existing uses for coal; third, reduce the cost of coal production and distribution; and fourth, emphasize those developments in uses for coal of particular value to small coal producers. The Commission would be authorized, to first, conduct research projects; second, contract for, sponsor, cosponsor, and promote the coordination of research projects carried out by others; and, third, collect and promote the coordination of all available coal research information. The Commission would be prohibited from conducting research projects itself unless it is unable reasonably to contract or otherwise provide for such research by others, and no research would be undertaken or conducted unless all of the information developed therein would become available to the public.

Cooperation to the fullest extent possible with all other research agencies, governmental and nongovernmental, is directed; duplication of research by the Commission is prohibited, and consultation on proposed projects is required. Reports would be submitted by the Commission to the President and Congress semiannually.

The salary of the Chairman would be $20,500 a year and of the Commissioners $20,000 a year. The principal office of the Commission would be in the District of Columbia, and the Commissioners would be selected from persons experienced in industrial-type research activities. The Commissioners must give their full time to the work of the Commission, and they and their employees may have no financial interest in any firm engaged in coal mining or related or competitive businesses. The Commission's employees generally would be appointed and paid in accordance with the civil-service laws and the Classification Act of 1949.

An appropriation of not more than $2 million is authorized by the bill for the fiscal year beginning July 1, 1959. Additional sums as needed for the following years are also authorized.

In the 84th Congress, the Committee on Interior and Insular Affairs took note of the depressed economic condition of the coal industry and conducted a study of the possibilities of a coal research program as authorized by House Resolution 400. The special subcommittee, following conclusion of its hearings in 1956 and 1957, stated that the opportunities

for developing new and more effective uses for coal through research are virtually unlimited, and recommended that the research program be administered through an independent agency.

A strong, healthy coal-mining industry is acknowledged to be essential to the economic welfare and security of the United States. It is because of the Bureau of Mines' exclusion of research and development activities which would aid in promptly improving and strengthening an impoverished industry that the coal-mining industry at large has found it necessary to advocate and urge that an expanded coal research and development program designed to meet its needs be conducted by a new agency of the Federal Government separate and apart from the Bureau of Mines and the Department of the Interior.

H.R. 6596, which has the support of the coal industry, is designed to meet this need; therefore, I urge the adoption of this resolution.

Mr. ALLEN: Mr. Speaker, I am not opposed to this rule or the bill itself, but I feel I should make just a few observations. This bill, of course, if passed, would create a new agency, a new commission. Personally, I do not like to see that happen. I think we have enough commissions and bureaus now. Also on page 6 of the bill there is expressed what I believe to be a new philosophy of government. It says:

> The Commission is authorized to acquire by condemnation, purchase, lease, or otherwise such real property as may be necessary to enable it to carry out its duties under this Act.

That certainly gives them a lot of power. There is no limit to it, except they must come before the Committee on Appropriations. As far as I have been able to learn, the coal operators and the Department of the Interior are now conducting tests. That is a function of the Department of the Interior. I realize the coal industry is in a serious condition. That is also true of the lead and zinc industry. It is true of the copper industry. It is true of the fisheries industry. It is also true of the textile industry. Just recently the textile industry had a commission appointed under the Department of Commerce to look into that industry.

The administration favors the objective of this bill. They appreciate the coal industry is in a bad condition, but they feel, and I think they are justified in so feeling, that this should come under the jurisdiction of the Department of the Interior.

I might add, also, that the Bureau of the Budget is opposed to this bill.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield.

Mr. BROWN of Ohio. I believe the gentleman from Illinois will agree, as will also the gentleman from Arkansas [Mr. TRIMBLE] that this bill, when it was first called before the Committee on Rules, was not reported; but later it was reported after an understanding had been reached that an amendment would be offered by the chairman of the committee having jurisdiction, the Committee on Interior and Insular Affairs, to limit the life of the Commission to 5 years; is that correct?

Mr. ALLEN. That is correct. The chairman of that committee is present and perhaps would care to answer that question.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield?

Mr. ASPINALL. The gentleman's understanding is correct. The chairman of the Committee on Interior and Insular Affairs not only will offer the amendment, but he will fight for it.

Mr. BROWN of Ohio. If the gentleman will yield further, as I understand it, the cost would be $2 million a year for a 5-year period; is that correct?

Mr. ASPINALL. The gentleman is not entirely right. It would be $2 million for the first year, and then it will depend upon the decision made by the Committee on Appropriations, after seeing how moneys are justified before the committee with regard to the second, third, fourth, and fifth years.

Mr. BROWN of Ohio. Any further expenditures above the $2 million for the first year would have to be justified before the Committee on Appropriations?

Mr. ASPINALL. It would have to be justified before the Committee on Appropriations, then recommended by that committee to the House, and then the House would have to vote on it.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Mr. Speaker, the coal industry is one of the major industries of our Nation. It is a basic industry, the cornerstone of the greater part of all industry in the United States. Coal is mined in more than half the States of the Union. Even with the anticipated development of nuclear power, it will require an expansion of at least 50 percent in the next 20 years in the production of bituminous coal to satisfy the energy requirements of the United States. The most effective development of that industry, therefore, is vital in the national interest.

For such development, a major research program on a national scale is essential. H.R. 4927 provides for such a research program, with appropriate agencies for its implementation. The functions and duties of the Commission therein provided are as follows:

First. To develop new and more effective uses for coal.

Second. To improve and expand existing uses for coal.

In my view, these are of outstanding importance and should engage the major attention of the Commission. As our resources of natural gas and petroleum decline, as they inevitably will, and we are more dependent on imported oil, it becomes vital to our national welfare that the best and widest possible utilization of coal be developed.

A strong statement has been made on the need for a Federal research program for coal, by one of the outstanding and progressive business leaders of western Pennsylvania, Mr. William L. Wearly, president of the Joy Manufacturing Co., of Pittsburgh, Pa.:

> As our energy needs expand sharply in the years ahead our national security and welfare will become increasingly dependent upon coal. Further, coal is one of America's great natural resources. Though the coal industry now is investing heavily in the future, a research program sponsored by the Federal Government to expand the utilization of coal seems to be an important element for the ultimate growth of this industry.

The third function of the Commission is to reduce the cost of coal production and distribution. In view of the accomplishments of the industry, there is presently little need for extensive action by the Commission in this field. The job that the coal operators, the manufacturers of coal mining machinery, and the United Mine Workers have done in reducing costs and improving coal mining productivity and safety is without parallel anywhere in the world.

In 1948, according to the U.S. Bureau of Mines, the bituminous coal industry employed 441,631 men. In 1958, that employment had dropped to 188,500. In 1948, output per man per shift was reported by the Bureau at 6.3 tons, but in 1958, it had risen to 11.3 tons. This is the average for all mines, including hundreds of small, local, truck mines, but in the latest developed mines equipped with the newest types of high capacity mining machinery, some of it remote-controlled, the output per man per shift has risen to 40 tons, 50 tons, and even higher outputs per shift for every man on the payroll. In 1948, the average earnings of bituminous coal mine employees were reported by the U.S. Bureau of Labor Statistics to have been $1.90 per hour. Today, those earnings approximate $3.25 per hour. But in spite of these higher wages, the price of coal, f.o.b. the mines, has remained practically stationary. In 1948, the U.S. Bureau of Mines, Bituminous Coal Statistical Bureau, reports the average price realized, f.o.b. their mines, was $4.99 per ton. In 1958, the price realized was $5 per ton, practically the same. Nowhere else in the world do you find any such rise in productivity combined with such an increase in wages. Nowhere else do you find such progress in mine mechanization, such advancement in the techniques of coal mining, with such increases in wages at no higher prices for coal to the consumer.

In view of that record, it is not intended that the Commission shall compete with coal operators in devising better methods of mining coal, with machinery manufacturers in developing safer and more productive machines, nor with the United Mine Workers in the safer and more effective operation of such machines.

It is desired, however, that the Commission provided for in this bill shall have available for coal mine operators, for machinery manufacturers, and for officials of the United Mine Workers, research facilities that can be employed by operators, manufacturers and miners alike for further improvement in coal production and distribution.

The fourth function of the Commission is "to emphasize those developments in uses for coal of particular

value to small coal producers." The need and importance of this provision requires no elaboration on my part.

Another extremely important duty of the Commission will be to collect and promote the coordination of all available research information on the production, preparation, distribution and uses of coal, including but not limited to technical papers. At present there is no agency in this country set up to perform this highly valuable function. Among industrial countries abroad, including Russia, we find such collection and circulation of scientific and research information carried on most effectively by agencies set up for this express purpose. The Commission provided for in this bill would answer this need for the United States.

We are deeply interested in the competitive international situation, especially with regard to the activities in Soviet Russia in this field. In this year of 1959, Russia will become the largest coal-producing nation in the world, relegating the United States to second place. According to Alexander Gakner, East European specialist, U.S. Bureau of Mines, coal research in Russia far exceeds the combined research activities of all agencies, private and public, in this field in the United States.

Look at the contrast when we view Russian coal research. According to engineers of the National Coal Board of Great Britain who have visited Russia by invitation of the Soviet Government, here is a huge program under the Institute of Coal Research, headed by a member of the Russian National Academy of Sciences. Under him are 400 scientists with a scholastic rank of doctor of philosophy or better. They are assisted by 4,000 scientists with the equivalent of our master of arts, bachelor of science, and bachelor of engineering degrees, and they have available also the services of some 6,000 technicians. All coal research agencies in the United States, both public and private combined, do not have a significant fraction of such a staff.

Under the Russian Institute of Bituminous Coal Research, there are at least 10 subsidiary research institutes located in major Russian coal-mining areas. They have carried on extensive research and experimentation in improving the quality of Russian coal for a wide variety of industrial uses, such as superior methods of ash removal, and the desulfurization of metallurgical coal. They have an extensive program for the underground gasification of coal. A similar program in this country has been abandoned. They have carried on scientific studies of roof subsidence and of roof control. They have developed the production of coal direct from the coal seam by the use of pulsating high-pressure water jets, and in September of 1958, at least 50 Russian collieries were completely equipped to mine coal in this manner at a productivity four to five times that obtained in mining by conventional Russian methods. The accomplishments of the Russian research program command the respect of their well-informed competitors in Great Britain, France, Holland, and Germany.

In those countries, too, research programs are carried on in fundamental and in applied research far beyond what is under way in the United States.

If this country is to maintain its position in the face of such international competition, we must have a research program in coal second to none in the world. It is the purpose of this bill to provide such a program and to make available facilities in this country that will accomplish that purpose.

Mr. ALLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I take this time to call to the attention of my colleagues the widespread public support for enactment of legislation to require full disclosure of expenditures of Government and counterpart funds by Members of Congress traveling in oversea areas.

Unfortunately, there seems to be all too little support for the proposal where it counts—in Congress. For more than 3 months now a full disclosure bill, of which I am the author, has been gathering dust in the Accounts Subcommittee of the Committee on House Administration. If there is some logical explanation for the failure of the committee to report out the bill, H.R. 5401, I would be interested in hearing it.

Or is it true, as stated in the press, that my bill is the least likely to succeed in this Congress? Or could it possibly be true, as expressed in some circles, that I am treading on sacred ground; that I have committed some crime in daring to ask that a public accounting be made of this spending?

I would ask each of my colleagues to obtain a copy of H.R. 5401, look it over, and then ask yourself, On what possible grounds can it be argued that the public does not have a right to know how much Members spend on trips abroad and the purpose of their expenditures?

What does the bill provide? Under its terms, a Member of Congress must file, within 30 days after returning to the United States, an itemized statement of expenses. That statement must be filed, as the case may be, with the Committee on Rules and Administration of the other body or the Committee on House Administration.

It is also provided that such statement shall include an accounting of so-called counterpart funds used for his or her expenses, information as to the number and identity of persons in the accompanying party, including any wife or husband and any relative and any of their expenses paid from Government or counterpart funds, and the services, if any, performed by any such persons for the Government.

The measure further provides that it shall be the duty of the committee chairman to cause such statement or statements to be printed in the CONGRESSIONAL RECORD within 5 days after receipt if Congress is in session and within 5 days after the reconvening of Congress if the statement is rendered during an adjournment or recess.

Simply stated, that is all the bill provides. Am I wrong in asking that the American taxpayers be permitted to scrutinize the spending of their money by Members of Congress? If anyone cares to respond to that question, Mr. Speaker, I will be happy to yield at this point.

It is wholly unnecessary for me to point out that certain highly publicized practices have cast a shadow over the entire Congress. This has created an atmosphere in which all spending by Members, no matter how legitimate, is viewed with suspicion by a substantial number of our citizens. The very fact that Congress seems to prefer secrecy in some aspects of its fiscal operations is taken as evidence that legislators are getting away with expenditures which will not stand the light of public scrutiny.

To those of you who would protest that such an assumption is unfair, I would ask: What other conclusion can be reached when we refuse to make a full public accounting of our spending?

Here we have an opportunity, it seems to me, to at least partially clear the air by enactment of legislation such as I have proposed.

After all, we as legislators have the responsibility of leading the way in elimination of secrecy in Government. How, I ask, can we criticize representatives of the executive branch for withholding legitimate information from the American people and at the same time withhold facts on the spending of taxpayer funds by Members of Congress? To be sure, there is every reason to be critical of secrecy in various departments and agencies, but let us be consistent. Would not our criticism be more effective if we first put our own house in order?

Make no mistake about it; there is widespread demand for full disclosure of congressional expenditures. Of this I am convinced by the letters and newspaper editorials reaching my desk. For example, support for the bill I have introduced has been expressed by Mr. V. M. Newton, Jr., of Tampa, Fla., chairman of the National Freedom of Information Committee of Sigma Delta Chi, the professional journalistic fraternity which has 20,000 publishers, editors, and newsmen as members. Here is what Mr. Newton has had to say:

> These Government funds and counterpart funds spent by Members of Congress on junkets overseas, of course, are taxpayer funds, and the American taxpayers are certainly entitled to a prompt and public accounting.

And an Iowa businessman expresses support for my bill with these comments:

> I thought that you might be interested in the strong editorial support which the [Des Moines] Register gave this morning to your efforts to disclose to shareholders in our Government the expense accounts of those whom we trust to attend to our business.
>
> Your efforts are only those followed in any well-run private enterprise. Besides, in view of recent disclosures, the opening of

expense accounts to public scrutiny could have a wholesome and sobering effect on everyone; it would raise the esteem of our Government a notch or two.

While I appreciate the courtesy of the gentleman from Maryland [Mr. FRIEDEL], chairman of the Accounts Subcommittee, in permitting me to appear before the committee on May 21 in support of H.R. 5401, I regret that it has been impossible thus far to obtain action on the bill.

Frankly, it is difficult for me to understand why a Member would object to full disclosure of his expenditures from public funds for any purpose, but if there is such objection, let it be expressed in open hearing. Surely the public interest is not being served by the obvious reluctance of this body to even consider H.R. 5401.

Certainly I am in no position to dictate to the Accounts Subcommittee or the full Committee on House Administration, but I respectfully submit that there is sufficient interest in the bill to warrant action.

Mr. Speaker, in support of my contention, I desire to include as part of my remarks editorials from four newspapers and a column from the New York Daily News:

[From the Waterloo (Iowa) Daily Courier, Mar. 13, 1959]

ALL CONGRESSIONAL EXPENDITURES SHOULD BE AVAILABLE TO PUBLIC

Once again the public is being told that how its tax money is spent is none of its business.

The august U.S. Senate has formally taken the position that the salary paid to Members of each Senator's staff is a secret.

The U.S. Congress with a great show of candor last year voted to require all subcommittees traveling abroad on junkets to file detailed reports with the Senate Appropriations Committee and the House Administration Committee. These detailed reports were to be consolidated by the chairmen who were then required to publish reports "showing the total itemized expenditures of the committee and each subcommittee thereof."

But the House Administration Committee this week filed a report which merely totaled expenditures by each committee and ignored entirely the legal requirement that subcommittee expenditures be itemized. In other words, the chairmen hoped that the report would be lost in the maze of Washington publications and that evasion of the publicity features of the law would not be noticed.

Representative H. R. GROSS of Waterloo, however, has filed a full disclosure bill in the House which would require each Congressman traveling on a junket abroad to file a full, public, detailed report on expenditure of public or counterpart funds within 30 days after his return. "Surely the public has a right to know how much Members of Congress, and persons accompanying them, spent on oversea junkets and the purpose of these expenditures," GROSS says.

Perhaps it is prejudicial to use the term "junkets" in connection with these trips since many of them are legitimate investigations by sincere and hardworking Congressmen. Since every Congressman knows that officials in the executive departments spend tax money on luxury travel without public criticism, they resent the publicity which is sometimes given to legitimate travel by legislators.

But, as in any other similar problem, the only solution is to open the books to public examination and let the voter decide. The very fact that Congress prefers secrecy on some aspects of its fiscal operations is a sign that some legislators are getting away with expenditures which will not stand the light of public examination. It is unfortunately true that a legislature at times tends to become a kind of mutual protection club in which the Members conspire to do collectively what none of them would dare to do individually. Thus the Senate protects its individual Members by refusing to disclose staff salaries.

We think each individual Member of Congress ought to stand up and be counted on this issue. Representative GROSS has taken his stand by filing the full public disclosure bill.

[From the St. Louis (Mo.) Post-Dispatch, Mar. 15, 1959]

A WAY TO CURB JUNKETERS

Representative GROSS of Iowa, is to be commended for introducing a bill to strip away the secrecy surrounding the Federal and counterpart funds which Congressmen spend in foreign trips. As he said, a law passed last year providing for filing consolidated reports on foreign currency expenditures by each committee in Congress is practically meaningless. What is needed is a filing of individual reports which would be open to public inspection. Many such measures have been defeated in the past. That has made it easy for the small minority of free-spending junketers to continue practices which cast a shadow over all the Congress.

[From the Des Moines (Iowa) Register, Mar. 17, 1959]

CONGRESSIONAL TRIP ACCOUNTS

Representative H. R. GROSS, of Iowa, has introduced a bill to require all Congressmen who travel abroad at public expense to file a public report of their expenses within 30 days of their return to this country. Representative GROSS calls the present law on reporting expenses "practically meaningless."

The present law is altogether meaningless. It requires Congressmen to file itemized statements of travel expenses with their committees. The committees are supposed to consolidate all the reports and report only the figures on total spending. The law appears to require some breakdown on spending by subcommittee, but Congress declines even to release these figures. There is no way to pinpoint any individual expenditures.

Some 159 Congressmen traveled abroad last year at public expense. A number of them went on trips after they had been defeated for reelection or had announced their retirement. Congressional Quarterly reports nearly a half million dollars in counterpart funds were spent last year on congressional travel.

Counterpart funds are funds set aside in local currency by countries that receive U.S. aid. Congressional Quarterly reports that counterpart funds "account for only a fraction of the total cost" of foreign travel by Congressmen.

The figures show that Congressmen who traveled abroad last year spent an average of $3,000 each of counterpart funds alone. The bill introduced by Representative GROSS would require Congressmen to file individual statements showing their spending both of counterpart funds and American dollars. "Surely the public has a right to know how much Members of Congress, and persons accompanying them, spend on oversea junkets and the purpose of their expenditures," says GROSS.

We agree.

[From the New York Daily News, May 3, 1959]

D.C. WASH

(By Gwen Gibson)

WASHINGTON, May 22.—The bill least likely to succeed in this Congress is one to require an accounting by Congressmen for the tax money they spend traveling abroad. This is particularly sad since our lawmakers apparently are out to set a new foreign junketing record this year.

Already—a spot check shows—with the session less than 5 months old, more than 60 Members have shown a fondness for faraway places. Nine members of the House Armed Services Committee have toured all Army bases in Europe. Five Senators and two Representatives have been in Bogotá, Colombia, for a conference on "How To Develop Markets for Farm Crops"; two Representatives have been to Pakistan to look at irrigation projects; two have been to Berlin to study conditions there, and several, with their wives, have been to Geneva, for a conference on health problems.

CALL IT COUNTERPART BUT IT IS STILL DOUGH

Many such congressional trips are legitimate and serve important purposes. But suspicion is cast on all junketing because Congressmen refuse to account for the Government and "counterpart" money they get. Counterpart funds are local currencies deposited by countries getting U.S. aid and any way you look at it they're still bought by U.S. taxpayers.

Fighting a one-man battle to clear up the junketing picture is Representative H. R. GROSS, Republican, of Waterloo, Iowa, a slight, outspoken and sometimes gruff gent who shuns foreign travel and, incidentally, the Washington cocktail circuit. Tuxedos, he believes, are "too darn fancy."

GROSS has in a bill to require Members of the Senate and House to file a public statement of expenses incurred in travel outside the United States.

ALSO, WHAT'S THE TAB FOR THE TAG-ALONGS

The Gross bill also would require a rundown on counterpart funds used by a Member for his or her expenses and "information as to the number and identity of persons in the accompanying party, including any wife or husband or relative and any of their expenses paid from Government funds."

GROSS introduced his bill March 9 and it was referred to the House Administration Committee where it's been rotting since.

In a closed session this week before the committee, the 60-year-old GROSS made a logical plea for some action on his measure.

"The very fact that Congress seems to prefer secrecy in some aspects of its fiscal operations," GROSS told his colleagues, "is taken as evidence that legislators are getting away with expenditures which will not stand the light of public scrutiny."

NOT EVEN THE AUTHOR HAS VERY HIGH HOPES

He added: "It cannot be argued with the slightest degree of justification that the public does not have a right to know how much Members spend abroad and the purpose of their expenditures."

GROSS told the News today, however, that he will be "very surprised" if his measure gets to first base this Congress.

A similar bill last session by former Representative William A. Dawson, Republican, of Utah, was passed by the House and Senate, then watered down in a House-Senate conference until it was meaningless.

Reports of foreign travel are now filed each year on a committee by committee basis and published scattershot in the CONGRESSIONAL RECORD.

Since no individual figures are given, there's nothing to dispute the persistent rumors from the executive branch that some

Congressmen make lavish use of counterpart funds and that some have received as much as $200 a day for "pocket" money.

The biggest year, so far, for congressional travelers was 1957 (like 1959, a nonelection year) when an estimated 220 left the country.

But by this time in 1957 only some 30 lawmakers had been abroad, less than half the number officially counted this year.

The big exodus of junketeers comes after the summer congressional recess. Big travel plans already are shaping up for Members of the 86th.

For example, there's a meeting in Warsaw of the Interparliamentary Union beginning August 27 which an estimated 18 Senators and Representatives will attend.

Members of the new House Space Committee have some broad travel itineraries in mind with one subcommittee even thinking of a mission to Moscow.

OUTSIDE INTERESTS OF THE INTERIOR BOYS

You can count on the members of the House and Senate Armed Services and Foreign Affairs Committees to add a hearty total to the travel figure.

An interesting sidelight is the fact that the House Committee on Interior Affairs has requested appropriations to travel overseas. It's for certain that the committee will visit such U.S. possessions as Puerto Rico, the Virgin Islands, and Hawaii and all other U.S. possessions in the Pacific.

[From the Waterloo (Iowa) Sunday Courier, May 24, 1959]

SECRECY ON LEGISLATIVE JUNKET COSTS VIOLATES BASIC PRINCIPLE

In this day of enlightened democracy it is almost incredible that the elected representatives of the people would refuse to open the books on the spending of the public's money. But it is a fact that Congress still refuses to give a detailed accounting of junket spending abroad and that the Senate still refuses to make its payroll public.

Representative H. R. GROSS, of Waterloo, has introduced a bill which would require each legislator to file an itemized expense statement within 30 days following return from a trip abroad. The report would show how much in governmental and counterpart funds was spent and for what purpose. (Counterpart funds are those American credits abroad in foreign currencies accumulated as a result of the foreign aid program.)

"The very fact that Congress seems to prefer secrecy in some aspects of its fiscal operation," GROSS declared in testimony last week before the House Administration Subcommittee, "is taken as evidence that legislators are getting away with expenditures which will not stand the light of public scrutiny."

The total amount of money involved in all this foreign junketing is trivial in comparison to the Federal budget and the extent of the abuses is probably even more trivial. But the principle involved is nevertheless as basic in democratic government as the right to vote. The principle is that without compelling security reasons for secrecy, the public business shall be conducted in public. If Congress can defy public opinion on the amount of money spent by individual legislators for junkets, there is no reason why it could not also vote secret bonus payments and other secret privileges for all Members.

Furthermore, Congress from time to time has its own difficulties obtaining information from the executive branch of Government. A Congressman is in a poor position to pound the table and demand the end to a cover-up in an administrative agency when his own branch of Government is refusing to open the books on travel expenses.

Wholesale decay often spreads from a little spot of rot. The secrecy on congressional junkets is a symptom of an attitude which should be vigorously and decisively rooted out. Few Congressmen would dare to vote against GROSS' bill if it comes to a formal rollcall. It will be interesting to see if it is allowed to get that far.

[From the Charleston (W. Va.) Gazette, May 28, 1959]

IOWA CONGRESSMAN DEFLATES POPULARITY WITH BILL TO DISCLOSE TRAVEL EXPENSES

It's impossible to know for certain, of course, but our guess would be that Representative H. R. GROSS, Republican, of Iowa, is the most unpopular lawmaker in Congress among his colleagues.

His crime is the introduction of a bill to make public the amount of money each Congressman spends on travel abroad at taxpayer expense. Today no one knows on an individual basis, although respective committees do release total figures spent by committee members.

Opponents of the Gross measure claim that making congressional travels part of the official record on an individual basis would, for fear of outraging voters who foot the travel bills, prevent some solons from going abroad—thus denying to themselves knowledge needed to assist them with their legislative duties.

GROSS, and rightly so we believe, refutes this argument by pointing out that until such expenditures are open to the public wasteful junketing won't be stopped.

It's high time Members of Congress started realizing that they are in office to serve their Nation and the people paying their salaries and assorted fringe benefits. Theirs is no divine right to hold office, and where taxpayer money is concerned their responsibility is to spend it wisely and well. The only way the public can know if they are spending it properly is to make their expenditures public.

Mr. PHILBIN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. PHILBIN. Does the gentleman from Iowa have any evidence on that point with reference to expenditures that would not bear public scrutiny.

Mr. GROSS. The gentleman is well aware of some of the practices that are being carried on. I do not intend now, nor did I when I appeared before the House Accounts Committee, to name names because I cannot defend people who provide me with information.

Mr. PHILBIN. If the gentleman has evidence regarding any irregularities or any conditions that are not in accordance with law or that are irregular in any way, I think he might bring the evidence before the House.

Mr. GROSS. Does the gentleman think that these practices do not exist?

Mr. PHILBIN. I think there are good and valid reasons why Members of Congress should travel overseas.

Mr. GROSS. I am asking the gentleman, Does he think these practices do not exist?

Mr. PHILBIN. I do not have any evidence of such practices to which the gentleman from Iowa refers. My only point is—if the gentleman from Iowa has evidence, and if he is going to make statements, I would like to see him present the evidence on which he bases his statements.

Mr. GROSS. Then let me give you an example that is on record. The chairman of a committee of the Congress ordered out a plane the other day to take a planeload of junketeers over to London and it was completely unofficial business.

Mr. PHILBIN. Does the gentleman from Iowa think when Members of Congress have valid, official business overseas that they should go overseas?

Mr. GROSS. But this was not official business and the gentleman knows it was not because there has been no resolution passed by the Congress recognizing the Atlantic Congress and no money has been appropriated for the purpose of sending people over to London or reimbursing MATS for the use of this plane.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. BASS of New Hampshire. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for another 2 minutes.

The SPEAKER. The time is under the control of the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. TRIMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, no Members of this House are more conscious of the problems of the coal industry and its need for an overall research program than my West Virginia colleagues and myself. Coal is our leading industry in West Virginia, our greatest natural resource. We are the greatest coal-producing State. When coal suffers, West Virginia suffers. When production is down, our mine workers are laid off, many of our railroad workers are furloughed, our merchants feel this slack in their business, our tax collections drop.

It is with all these things in mind that I rise in full support of H.R. 6596 which would establish an independent Coal Research and Development Commission to promote and coordinate research in coal. Yet this bill will benefit more than just West Virginia. It will benefit more than the coal-producing areas of our country, in addition to the 14 States in which coal is extensively mined. It will benefit our whole Nation, for it will lead to the fuller and more economical use of our greatest source of energy. Support of this bill should not be confined to coal-producing areas. Texas and Louisiana and California have a stake in this bill also.

Mr. Speaker, the coal industry has a great potential. America is using four to five hundred million tons of bituminous coal a year. This consumption of coal can increase rapidly, because America's population is growing, and everyone of us is using more and more energy. But the coal industry must have research in order to fill this future need. It is already conducting research to the best of its ability—but that ability is limited by the great number of coal commodities—about 5,000 of them—and their small margin of profit.

Therefore, a Federal program is the best solution to enable this industry to keep fit for the future. This bill purposes an agency which would conduct or promote and coordinate research into

better and more economical ways of producing coal. It will seek ways to use more coal. It will seek to expand present uses. And, quite importantly, it will lay special stress on projects which will be of benefit to the small producers. There are many small companies in the coal industry. They cannot set up million-dollar laboratories. Yet they need to survive. They must survive if America is to have the coal it will need.

Mr. Speaker, this bill provides that the research program be placed under an independent agency. This is a controversial provision, but to my mind a most important one. In my years in Washington I have seen—as I am sure everyone in this House by now has seen—how the huge Government departments expand. Their intentions may be good, but within each department a towering mountain of bureaucracy stands amid a blizzard of paper work. A good idea has to go through channels and be approved by so many people in so many offices that it is quite likely to die on the journey. It is a natural tendency in established agencies to keep on doing what they have done before. There is a reluctance to try new approaches. There is a resistance to new ideas. In these circumstances there is a tendency for a mighty Government agency, particularly one with diverse and sometimes conflicting responsibilities, to stand musclebound.

I believe that an independent agency which is created for one purpose, given one responsibility, can be much more effective. Having only one job, there is no reason to let its attention wander. Being small and concentrated, it is mobile and effective.

Mr. Speaker, that is the sort of agency required for this job. If the task of finding fresh approaches to coal research, of promoting a really effective program, is assigned to one of the huge established Government agencies, it simply takes its place on a long list of responsibilities. What the coal industry needs is an agency wholeheartedly and singlemindedly devoted to its betterment.

There is unemployment today in the coalfields. The only practical solution is to mine and consume more coal. This must not be done like the WPA—simply to put men to work. The coal industry does not want to go on relief. It wants a chance, a helping hand, to produce its product more efficiently, to develop new markets, to expand existing markets and to assume the role cast for it as the real muscle in the industrial might of this Nation.

Mr. Speaker, H.R. 6596 offers us a means to do this. I urge its enactment.

Mr. HECHLER. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to my colleague from West Virginia.

Mr. HECHLER. I ask my esteemed colleague if it is not true that many very splendid research programs are already carried out in independent agencies such as the Atomic Energy Commission, the National Science Foundation, the National Astronautics and Space Administration? So there is a firm precedent for having such research carried on by independent agencies.

Mr. BAILEY. My answer to my distinguished colleague is that there are numerous commissions of this kind. We are not setting any precedent here; we are simply asking for special attention for the whole industry.

Mr. TRIMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Speaker, I urge that the resolution be adopted making H.R. 6596 in order for consideration. For several years I have been interested in legislation creating a Coal Research and Development Commission and have introduced legislation for an independent commission several times in the past. I wish to congratulate the special Subcommittee on Coal Research and the members of the Interior Committee for bringing this legislation before the House today.

Mr. Speaker, this legislation is many years overdue. Perhaps the coal industry has suffered more from the lack of research than any other industry in this country. We are spending less than $17 million annually for coal research and the Federal Government is spending less than $5 million annually on coal research. Compare this figure with the chemical industry. The chemical industry is spending more than $361 million annually; for research on rubber products, more than $54 million is being spent annually.

What has happened to the coal industry in the last 10 years? Do we have less operations today than we had 10 years ago? The records of the Bureau of Mines disclose that we have more than 700 less than we had 10 years ago. In fact, 10 years ago we had 8,700 coal operations in this country. In 1958 we find that we have less than 8,000. In my home State of Kentucky alone we have 443 less coal operations today than we had 10 years ago.

Perhaps no other industry has as much unemployment at the present time as the coal industry. Ten years ago we had more than 500,000 coal miners employed in the industry. Today we have approximately 225,000. We were producing more than 500 million tons of bituminous coal annually 10 years ago, and for the calendar year 1958 we produced only 410 million tons of bituminous coal. Experts in the coal industry, when I came to Congress, were telling me that we would be producing more than 750 million tons by 1958 and 1959 because of the increased demand of electrical utilities, and so forth.

We have in this country today instances where the Government agencies, for instance, could be consuming coal much cheaper than they could purchase natural gas but they prefer to purchase natural gas for heating purposes. The special subcommittee on coal research, in their report published during the 85th Congress, specifically pointed out that coal is mined only 2½ miles from the new Air Force Academy in Colorado Springs, Colo., and that higher cost natural gas from nearby States has been selected for use as the primary heating fuel.

The record discloses that an annual saving of $33,800 in fuel costs could have been realized in using coal at the Air Force Academy instead of natural gas. There are many other similar situations. All of this points up the need for this legislation.

One of the good effects that will flow from the passage of this legislation, in my judgment, will be the expansion of present coal markets. You can go through any coal-producing district in this country and all you have to do is to talk to a small operator and he will tell you that his primary trouble at the present time is finding where to market his coal. Coordination in research certainly will provide for an expansion of these markets.

When we consider some of the problems of the coal industry, everything points to the need for a coordinated research program. It is true that there is research being carried on. This bill does not contemplate the duplication of any research in this country. It contemplates the orderly coordination of research which other industries have to a great degree, and which the coal industry does not have.

Mr. Speaker, coal in all probability will be a major fuel for a long time to come. The industry is entitled to equitable treatment from the Government insofar as carrying out an effective research program. The profits of the coal industry at the present time, and over a period of years, clearly demonstrate that the industry is unable to carry on the necessary research.

Mr. Speaker, I urge that this rule be adopted and the passage of the legislation.

Mr. ALLEN. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Speaker, the importance of coal to our national economy now and in the future has been set forth in congressional hearings on the measures calling for establishment of a coal research commission by the American Mining Congress, a highly respected national organization of the entire mining industry. It has pointed out that in the next 25 years coal will carry a very much larger energy burden and that these increasing demands upon it as a fuel justify the Government in providing greatly increased funds for coal research.

The Mining Congress has also emphasized that at the present time governmental funds are not available to the coal industry or related industries for financing research in industry mines or laboratories. This organization has pointed to the research programs conducted by the Atomic Energy Commission, the National Advisory Council for Aeronautics and the National Science Foundation as examples of effectively conducted research. It is the belief of the American Mining Congress that one of the best and most effective means for advancing coal technology would be initiation of a program similar to those aforementioned.

In advocating the establishment of an independent coal research commission, the American Mining Congress has made it quite clear that the need for increased coal research is not only great but is essential to our defense needs. It has said that the industry itself has conducted limited research but that because of the low margin of profits and the large number of small units in the industry there is a definite limitation as to the extent of research which is financially possible. Should we face a national emergency, the coal industry would be called upon for a sudden and great rise in output to meet the flood of demands from defense industry. The industry must be prepared to meet this challenge just as it has been able to meet the challenges thrust upon it during World War II and the Korean conflict. The coal research and development program proposed under the pending bill would do much to stabilize the industry under all conditions.

I want to call special attention to the statement of Julian D. Conover, executive vice president, American Mining Congress, to the Senate Interior and Insular Affairs Committee, June 1959, in re coal research:

We greatly appreciate the interest of this committee in developing a broad research program for the coal industry. We sincerely hope that as a result of these hearings that the committee will act favorably on S. 49 which would create an independent coal research commission to encourage and stimulate production and conservation of coal through a comprehensive research and development program.

THE COAL INDUSTRY AND RESEARCH

The coal industry is in serious need of increased research. Practically every phase of the operations can be improved by well directed and executed research effort. This includes the location and determination of reserves, mining and preparation, and utilization for all purposes.

The Bureau of Mines[1] shows that about $17 million was spent on all forms of coal research in 1955. About $5 million of this came from Federal and State sources and the rest from industry. This total is very small when compared with the petroleum industry's expenditures of about $146 million and the chemical industry at $361 million.

The coal industry is sometimes criticized for not spending more on research. On the basis of total selling price for coal it would appear that more money should be available. On the other hand, the margin of profit for practically all the industry has been very narrow, and it is of course from this margin that research must be financed. In addition, research effort today can be frittered away with little or no result unless it is well organized under competent direction and with adequate equipment. Very few coal companies are large enough to conduct research on a scale which is most productive of results.

One answer to this latter problem is industrywide cooperative research. With increased coal production it is possible that contributions to such work can be increased. At the same time, however, individual companies should carry out their own programs since this insures the competitive drive created by the benefits to be derived by a single company when its research effort is outstandingly successful.

The coal industry, like the petroleum industry and the chemical industry, is hardheaded and will only spend a limited amount on fundamental research. Neither will it spend money on visionary, long-range projects that will not be successful business enterprises within a measurable number of years. Yet, given projects in which it can sink its teeth, like the reduction of mining, handling, and preparation costs, it comes up with effective answers.

There are dangers in a competitive approach to research with too narrow a viewpoint. For engineers and scientists to make progress they must have basic facts. Mining engineers must know the geology and physical properties of coal in the ground and of the overlying strata. Preparation engineers need facts and figures on the physical and chemical properties of coal, ash, and rock; combustion engineers need data on ignition and burning characteristics and the properties of the ash; and chemical engineers, considering coal for gasification, liquefaction, or petrochemical process, need information on the exact details of its chemical composition and the reactions it undergoes. From this viewpoint it is evident that we must continue to collect and expand the basic data on coal. It is in this field that Government research can be particularly helpful, for it is often difficult for industry to justify expenditures for work that promotes returns only in the long-range future.

From the industry viewpoint the broad fields for coal research may be listed as follows:

(1) Estimation, location, and characteristic of reserves.

(2) Mining, preparation, and marketing of coal.

(3) Transportation.

(4) Utilization for combustion purposes.

(5) Production of coke and byproducts.

(6) Utilization for liquid fuels and gas.

(7) Utilization for chemicals.

(8) Coal statistics.

The first of these fields concerning the estimation and determination of the general characteristics of reserves in the broad sense has always been a governmental function and should continue as such. The coal industry, of course, uses its own geologists and mining engineers to study those factors which have a direct effect on mining and production costs.

The second item concerned with mining, preparation and marketing of coal is, in all its phases, the special province of the industry and those are not fields in which the Government can work effectively, or in which it should attempt to work.

The third item, the transportation of coal, involves problems for the coal industry, the coal consumer and the transportation agencies. In many instances the cost of transportation is a major factor in the price paid by the consumer. Also, in recent years these costs have been rising faster than the cost of mining coal. Attacks have been made on this problem by the industry to develop cheaper methods. The consumer, as represented by the utility industry, has located plants at the mine mouth and transmitted electric energy instead of coal to reduce transportation costs. This is a problem that is the concern of the industries involved as well as the Government.

The combustion of coal is a problem that is intimately concerned with the equipment used for this purpose. The industry could not hope to investigate all types of combustion equipment. It can and does furnish useful fundamental data. Concerns manufacturing combustion equipment in the larger sizes have been outstandingly successful in the development of entirely automatic combustion equipment, including the utilization of pulverized coal. Steam boiler and furnace manufacturers have demonstrated their competence and progressive attitude in this field.

The fifth item, the production of coke and byproducts, is a specialized field with the properties of the product directly related to their final use. Much of the development work in this field has been carried on by organizations manufacturing coke ovens and by the metallurgical industries. Their ability to recognize and meet their special problems is attested by the rapid expansion of many of these industries in the postwar period.

The coal industry has always taken an active part in supplying the best possible product for coking purposes. This includes the mining and preparation of coal with particularly desirable coking properties. Developments in the field of metallurgical coke have resulted in many instances from cooperation between the coal and metallurgical industries.

The sixth item, the production of liquid fuels and gases from coal, is not now of direct commercial interest in the United States. Research in this field is often too long range and too expensive for the industry to undertake and it is, therefore, a proper field for the Government. This is particularly true because of the general desirability to shift some of the energy burden from oil and gas to coal and because of the strategic importance of liquid fuel supplies.

Certain phases of the problems involved in the production of liquid fuels are of more immediate importance to the coal industry. These include the gasification of coal and some features of the hydrogenation processes.

It is desirable to develop direct cooperation between industry and the Government in these fields.

The utilization of coal for chemicals is a field of great potential importance. The most profitable part of this operation will be in producing and marketing the chemicals, rather than producing the coal. The actual amount of coal that would be used for even some of the largest volume chemicals is still not a very great annual tonnage. There is, of course, no reason why organizations in the coal industry cannot enter into the chemical field and indeed this has already been the case in some instances. Chemical companies are also undertaking coal mining operations. This is another field in which the coal industry can render assistance in a fundamental way. It is not in a position to compete with the chemical industry in research in this field. Its best line of endeavor would be to encourage work on coal that would lead to increased utilization.

The eighth item listed, that is, coal statistics, is properly a governmental function and one that has been well handled by the Bureau of Mines.

FUNDS FOR RESEARCH

The previous discussion has outlined the research in the coal industry and has indicated how the various industries, over the years, have assumed the responsibility for development in certain fields. In the main the division of these responsibilities is exceedingly logical and all phases are making good progress.

It is obvious that there is always room for more and faster progress. In my opinion this can be done best by increased effort within the logical research pattern which has already been developed. Various fields of endeavor have been outlined in which the Government, the coal industry, and the other related industries can function effectively and with maximum return for the money expended. These fields should be respected.

The coal industry has not been able and cannot now supply all the funds necessary or desirable for research on this great energy

[1] Outlook and Research Possibilities for Bituminous Coal. Bureau of Mines Information Circular 7754. May 1956.

reserve. This has long been recognized and the Government, both Federal and State, has assisted in this effort in a very limited way.

In the next 25 years coal will carry a very much larger energy burden. In this period there is no evidence that atomic power will be able to contribute more than a small percentage to our energy needs because of economic, safety and technical considerations. As a national measure, therefore, the Government would be thoroughly justified in providing greatly increased funds for coal research.

At the present time governmental funds are not available to the coal industry or related industries for financing research in industry mines or laboratories. Such programs as conducted by the Atomic Energy Commission, the National Advisory Committee for Aeronautics, and the National Science Foundation have proven highly effective. We believe that one of the best and most effective means for advancing coal technology would be a program of this type devoted to coal.

We respectfully urge your committee to approve legislation creating an independent coal research commission.

I want to read into the RECORD the following excellent letter:

BITUMINOUS COAL RESEARCH, INC.,
Pittsburgh, Pa., June 9, 1959.

The Honorable JAMES G. FULTON,
U.S. Congressman,
Federal Building, Pittsburgh, Pa.

DEAR MR. FULTON: We greatly appreciate your thoughtfulness in sending us the copy of the report of the Committee on Interior and Insular Affairs on the Coal Research and Development Act.

We have just received the Annual Report of the Department of Mines and Mineral Industries of the Commonwealth of Pennsylvania for 1958, and note on pages 8 and 9 that the total production of bituminous coal in Pennsylvania in 1958 was the lowest in 60 years, namely, since the year 1898. The low coal production in 1958 was of course due in large part to the general recession, including the fact that metallurgical coke output nationally was down 30 percent from the preceding year. However, the fact that Pennsylvania bituminous coal production was the lowest in 60 years, and the fact that Pennsylvania anthracite production in 1958 was the lowest in more than 60 years, should add much emphasis to the support of Pennsylvania Congressmen to this measure.

Sincerely yours,

H. J. ROSE,
Vice President and Consultant.

Mr. TRIMBLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore [Mr. FORAND]. The question is on the resolution.

The resolution was agreed to.

Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6596) to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6596, with Mr. BOLAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. ASPINALL. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the legislation which now comes before the committee has received the approval of the Committee on Interior and Insular Affairs and, as far as I know, its unanimous support. The natural resource for which there is a research and development program contemplated in this legislation is one of the most valuable resources in our Nation and one upon which this Nation presently depends for much of its heat and its power and many of its necessary commercial items which come from such resource.

Now, many of the questions that will be asked about the legislation which is now before us will be based upon this kind of an argument: "Well, you are doing it for this industry, why can you not do it for other industries?" And they will bring into the debate the question of research and development on textile programs, upon timber and wood programs, and many other programs. Please keep in mind that this is an industry that we have had with us throughout our Nation's history, and even before we became an independent Nation, and a resource which we have been using at all times as economically to the consumer as it has been possible to obtain the product.

We come now to this period when the industry is in a sick and depressed condition and the industry itself is not able to pay from its own moneys the necessary expenses of effective research and development programs, especially so when it is in competition with other power- and energy-giving natural resources.

This matter has been discussed and considered in our committee for three Congresses. In the 84th Congress the matter was considered of such importance that the then chairman of the Committee on Interior and Insular Affairs, Mr. ENGLE, now Senator from California, appointed a special committee, and that special committee was headed by the gentleman from Oklahoma [Mr. EDMONDSON], who will give the history of the work done by that committee and the findings during those hearings. In the 85th Congress we brought it far enough along to have a bill ready for presentation, but it was too late in the session. Early in this session we made up our minds that we would have a bill before the House for its consideration.

The remarks made by the Members who have spoken during the consideration of the rule have given, to a more or less detailed extent, the provisions of the bill. There are, I may say, three points of controversy in this measure. These points of controversy have been considered by the committee, and we have resolved, as far as our committee is concerned, the controversies in the bill as we recommend it to you.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Virginia.

Mr. JENNINGS. Mr. Chairman, I want to commend the committee for the detailed manner in which they have gone into the study of this problem and permitting us to discuss this legislation today. I ask unanimous consent that I might extend my own remarks immediately following those of the gentleman from Colorado, the chairman of the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Utah.

Mr. DIXON. No one in the Congress knows better the situation of our sick coal mining industry in the West than the gentleman from Colorado [Mr. ASPINALL], our chairman. He knows it from the ground up. As a representative of the State of Utah, I wish to express appreciation to him for the work he is doing, also the Edmondson subcommittee for the fine work they have done, and support the bill.

Mr. ASPINALL. In the 84th Congress, the Committee on Interior and Insular Affairs took particular note of the depressed economic condition of the coal industry, and the committee was authorized by a House resolution to study the possibility of an expanded coal research program as one means of alleviating that condition. The Special Subcommittee appointed to study the matter was chairmaned by our colleague from Oklahoma [Mr. EDMONDSON].

After extensive study, including field hearings, the Edmondson subcommittee concluded that opportunities for new and more effective uses for coal to be developed through research are virtually unlimited. However, they found that progress was unduly slow since the existing research program of the Bureau of Mines is concentrated in another direction. Its main direction is toward the long-range problems of utilizing solid fuels. In other words, when research results begin to show chances of near-term practical results, the Bureau of Mines withdraws from that field of activity, and leaves it up to the research activities of individual firms or groups to produce short-range results.

Accordingly, the Edmondson subcommittee recommended that the expanded research be conducted through an independent agency. Pertinent extracts from the findings and recommendations of the special subcommittee are printed in the report on H.R. 6596 which is before you.

Following the release of the Edmondson subcommittee's report, several bills were introduced in the 85th Congress providing for an independent coal research and development commission. These bills were essentially the same as the present measure. A bill similar to one of the House bills passed the Senate. A House bill, H.R. 9460, was favorably reported by the Committee on Interior and Insular Affairs but reached the floor too late for action.

In the present Congress our committee resumed its consideration of this proposal and held further hearings. All of the witnesses, both from the Government and from the industries affected, recommended the expansion of governmental

coal research. No one opposed such expansion. All of the witnesses representing the coal industry requested that this expansion be through a new independent coal research commission. The Department of the Interior and the Bureau of the Budget preferred that the additional work be done through the Bureau of Mines.

Mr. Chairman, this bill will establish a new independent agency to be known as the Coal Research and Development Commission. The principal office will be in the District of Columbia. There will be three members serving for 3-year terms. Salaries of the members will conform to the provisions of the Federal Executive Pay Act of 1956. The Commissioners will be persons experienced in industrial-type research. They must give their full time to the Commission's work. Neither they nor their employees may have a financial interest in any coal-mining firm or a firm in a competing type of business.

The Commission will conduct, sponsor, cosponsor, and encourage coal research. It will cooperate fully with the Bureau of Mines and all other research organizations to avoid duplication of effort. Most of the research will be accomplished through contracts with Government agencies, institutions of higher learning, and industrial research organizations. Advisory committees are authorized and will operate under standards set forth in the bill.

The Commission's employees generally will be appointed under the civil service laws and will be paid in accordance with the provisions of the Classification Act. However, the research director's salary may be as high as $19,000, and up to 10 other positions may be excepted from the Classification Act at salaries from $12,500 to $19,000.

The sum of $2 million is authorized to be appropriated for the coming fiscal year. This initial level forms a base for expanded research in the years to come.

Mr. Chairman, the research to be conducted by this new agency will not duplicate that of the Bureau of Mines, nor will worthwhile research projects of the Bureau of Mines be prejudiced in any way. Instead, the new agency will complement the work of the Bureau of Mines and fill the gap that is now existing.

The committee has carefully noted the commendable program of research undertaken by the coal industry itself and by State agencies, as well as that of the Bureau of Mines, but the testimony has indicated that these efforts are far too small in relation to current problems. They do not by any means exhaust the possibility of benefits through research for the immediate needs of the coal-mining industry.

Specifically, the research to be conducted by the new Commission will be designed to meet the short-range needs of the industry; to provide for lower costs, newer uses, and other developments that will improve as soon as possible the economic position of the industry at large and also benefit consumers of coal, coal mine workers, distressed coal mining communities, and the general public.

Mr. Chairman, our colleagues are aware, I am sure, of the weakened position of our coal mining industry. Our smaller producers have not recovered from the impact caused by the displacement of coal by oil and gas in several major markets. At least 95 percent of our coal producers are small operators. These firms generally are unable to spend large sums for research and development. The Small Business Administrator reports that the economic position of small mining firms is fairly described as "critical."

The amount of coal research in the country has been inadequate. It is very small in comparison with that of other industries. In 1955 the total annual research and development expenditures for coal by all agencies and firms was about $17 million. In comparison, annual research expenditures a few years ago in the petroleum field exceeded $145 million; in the textile industry, $280 million; in rubber, $53 million; and in chemicals, $361 million. My colleagues are well aware of the huge Government expenditures for research and development by the Atomic Energy Commission, part of which is to try to develop commercial reactors which will produce electrical energy cheaper than by burning coal.

A short-range federally sponsored research and development program as contemplated by this bill is essential if the economic position of the coal mining industry, especially that of the small and medium-size producers, is to be improved or is to keep pace with the general growth of our economy.

With all due respect to the Bureau of Mines and its accomplishments in the areas of coal research, the committee is convinced that the expanded research contemplated would be far less effective if administered by the Bureau of Mines than if administered by an independent coal research and development commission.

Mr. Chairman, the bill provides an authorization of $2 million for the first year's work of the Commission, to remain available until expended. There is no estimate at this time of budgetary needs thereafter. Presumably the budgetary needs will expand after the Commission's first year.

The bill as reported carries with it no termination date. However, I am prepared to offer an amendment requiring the submission of an evaluation report to Congress at the end of the fourth year, and terminating the Commission at the end of 5 years, unless sooner extended.

Mr. Chairman, the departments of the Government have joined with industry spokesmen in seeking expanded coal research to provide for the short-range needs of the coal industry. The committee understands the desire of the Department of the Interior to retain control of the new research and appreciates the feeling of the Bureau of the Budget that an existing agency should be utilized. However, the need for expansion and redirection has existed for many years. The Department's policy of avoiding research activity that points toward prompt practical ends has prevailed for many years.

Only through legislation such as this—legislation which establishes a new agency with single purpose and a fresh start—will we have a program conducted by men with vision, enthusiasm, and a positive approach that will achieve the results we all desire.

Mr. JENNINGS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. JENNINGS. Mr. Chairman, I rise in support of H.R. 6596, the bill to expand and improve research into new uses and new market possibilities for coal.

I urge that this measure be approved.

H.R. 6596 is similar to a bill that I sponsored in the 85th Congress, H.R. 9662, and to the first bill introduced in this session of the 86th Congress on this important subject, my bill, H.R. 104.

As pointed out in the House Interior and Insular Affairs Committee's report on the bill, several bills have been introduced in this body during the last Congress, and again this year, to bring about this much needed program of coal research and development.

My remarks on this legislation are going to be fairly brief. There has been enough talk on this bill already over the past 3 years; what we need today is speedy passage so that the other body can concur in the House action and get this proposed program under way at the earliest practicable date.

It was my privilege to speak here in June of 1956 in support of a resolution to authorize a special study into the need for coal research. This resolution, House Resolution 400, was adopted, and the Coal Research Subcommittee that was subsequently established undertook a comprehensive and thorough review of the needs of the coal industry.

This subcommittee held field hearings, including a hearing at Abingdon in the Virginia 9th Congressional District. Following these hearings, and further hearings in Washington, the subcommittee published a comprehensive report—House Report No. 1263, of the 85th Congress.

Copies of this report are still available and I commend it to the reading of my colleagues here today.

The subcommittee recommended that a research and development program be undertaken, and that an independent commission be established to carry out this expanded and coordinated program of coal research.

Subsequent to the subcommittee's report, several bills, including my own, were introduced in the second session of the 85th Congress. Favorable reports were made in both Houses, and the Senate passed a bill; the House was unable to act on its bill because it did not reach the floor until the final hours of the 85th Congress.

Bills were introduced again this year, including my bill, H.R. 104. Hearings were again held, H.R. 6596 was reported, and we have today the first opportunity to vote on this proposal in the House.

There seems to be three principal reasons for this legislation:

First. Coal reserves of the United States are our Nation's greatest mineral resource available for immediate development and use.

Second. An economic stimulant is needed to reduce unemployment in coal producing areas.

Third. There is a compelling need from the standpoint of the coal industry's economy and the Nation's future fuel requirements, for an expanded coal research program.

We have made some progress in winning greater recognition of coal's needs—of the Nation's needs—in the recent months. The removal of the transportation tax on coal in the last Congress was one of these; restrictions on residual oil imports this year is another. This legislation to begin this improved research program certainly is most important to the continued recognition of the long-ignored needs in this vital national industry.

Mr. Chairman, I quote from the committee report on H.R. 6596, to outline the work of this proposed coal research and development commission:

> The Commission would be directed to carry out a research program to (1) develop new and more effective uses for coal, (2) improve and expand existing uses for coal, (3) reduce the cost of coal production and distribution, and (4) emphasize those developments in uses for coal of particular value to small coal producers. The Commission would be authorized to (1) conduct research projects, (2) contract for, sponsor, cosponsor, and promote the coordination of research projects carried out by others, and (3) collect and promote the coordination of all available coal research information. The Commission would be prohibited from conducting research projects itself unless it is unable reasonably to contract or otherwise provide for such research by others. No research would be undertaken or conducted unless all of the information developed therein would become available to the public.
>
> Cooperation to the fullest extent possible with all other research agencies, governmental and nongovernmental, is directed, duplication of research by the Commission is prohibited, and consultation on proposed projects is required.

It is my privilege to represent the Virginia area that produces practically all of Virginia's coal. This production comes, principally, from the six counties of Buchanan, Dickenson, Lee, Russell, Tazewell, and Wise; all of the production is bituminous.

Virginia, as the Nation's sixth ranking coal producer, has a great interest in the future of the coal industry. Coal is our most important natural resource. We had the Nation's first coal mine in 1750, but it was not until 1883 that the first trainload of high quality coal was hauled from southwest Virginia—where the bulk of the production is now located.

However, Virginia production has fluctuated in the last decade as the national production picture has changed with each loss or gain in markets. The 1957 Virginia production of 29,506,000 tons dropped in 1958 by 2,306,000 tons to 27,200,000 tons—estimated. At the same time, national production dropped from 493 million tons in 1957 to an estimated 405 million tons in 1958.

This production loss, with the corresponding job loss is not only the coal but related industries, illustrates clearly the need for this Coal Research and Development Commission.

Mr. Chairman, much has been said on this floor regarding the distress in our Nation's coalfields. I will not dwell on this. Let me simply urge that this legislation be treated as emergency, and assure my colleagues that it is of great importance to many thousands of persons in the coal-production areas.

I do not propose this legislation as a cure-all for the ills of the coal industry. It is, however, abundantly clear that expanded, coordinated, and well-conceived coal-research projects can be of both immediate and long-range benefit to the coal producers, the many coal industry employees, the coal-hauling railroads, the electric utilities, and the many other important segments of the national economy that depend on coal as a fuel and a raw material.

The coal and related industries are already devoting much time and considerable funds to research, which would tie into the program proposed under this legislation.

Mr. Chairman, may I reiterate, also, that the research would be for the benefit of both small and large producers.

The National Coal Association had the following to say about research in its recent statement of policy.

> Scientific research has made an immeasurable contribution to the economic growth which has made the United States preeminent among the nations of the world. Research should be broadened and intensified to assure further expansion of the Nation's economy and the maintenance of the United States leadership. Private industry should continue to play a substantial role in research and make every feasible contribution to the Nation's continued progress. The ultimate in research is beyond the economic capability of some segments of the economy. In furtherance of the national interest and the public welfare, it is incumbent upon the Federal Government to encourage and participate actively in appropriate research in the field of energy resources. An independent Federal agency composed of representatives of industry and Government should be established to aid in developing, coordinating, supervising and financing an appropriate research program for the extraction, utilization and consumption of bituminous coal. The program should rely upon existing research facilities to the greatest feasible extent, giving impetus and direction to present research efforts.

The creation of a coal research and development program for coal is essential for America's security; for the improvement of the economy in the coal-producing regions; for a guarantee that our coal industry will be able to meet the demands on it in future years; and for the simple reason that we have a responsibility to see that proper and efficient utilization programs are carried out as a means of conserving this natural resource.

I again urge that H.R. 6590 be approved.

Mr. SAYLOR. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, first of all I would like to commend the chairman of the committee [Mr. POWELL], who handled this matter before the Special Committee on Mines and Mining of the House Committee on Interior and Insular Affairs. Mr. POWELL very frankly admitted when he organized the committee that he was not familiar with the problems of mines and mining, but he intended to make himself familiar with it. And, he has done a tremendous job in familiarizing himself with the problems of the entire mining industry and in asking searching questions of every witness that appeared, not only on this bill but on every other piece of legislation that our committee has considered.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. I think the gentleman from Pennsylvania will agree that the gentleman from New York has had considerable experience with subway labor.

Mr. SAYLOR. Well Mr. POWELL was frank to admit, that was as far underground as he had ever gotten, but he expects to get a great deal further underground with this committee and fully investigate the problems of the U.S. minerals industry.

Mr. Chairman, I wish to present my views concerning the establishment of a coal research and development commission. As you know, my interest in coal is not an academic one, but is based on the fact that my district and my State have one of the largest coal deposits in the Nation and that a great deal of our industry is based on mining and using coal. I have, therefore, a deep concern for all legislation that affects the coal industry.

Since the introduction of House Resolution 400, which set up the Special Subcommittee on Coal Research in the Interior and Insular Affairs Committee, I have taken an active part and interest in this legislation. At the hearings conducted in 1956 and 1957, I was greatly impressed by the sincere testimony that was given both here and in Pennsylvania, Virginia, Oklahoma, and Colorado, by coal operators, representatives of the United Mine Workers of America, and public and private persons who live in the many communities that are so adversely affected by the depressed economic status of the coal industry generally. I was very pleased to see in March of this year the formation of the National Coal Policy Conference whereby officials of the coal, railroad, union, and transportation groups, together with other energy groups, will be able to formulate matters of policy affecting their respective industries. This Conference is concerned with the plight of the coal industry, a situation that must be corrected if this country is to remain economically and militarily strong.

All of us here are concerned with the difficult straits in which the coal industry finds itself, and we are trying hard to find means that will assist that industry in the solution of some of its most perplexing problems. Careful reading of the transcript of the hearings

indicates clearly that increased emphasis on coal research and development is highly desirable and necessary at this time. The many witnesses who represented the coal industry, the United Mine Workers of America, the railroads, the State and branches of the Federal Government, men from universities, from power companies, community representatives, people from research institutions, and private individuals all agreed that now is the time for a greatly expanded effort on finding new uses and new markets for coal, and that a significant expansion in research and development efforts is a logical first step to alleviate some of the ills of the coal industry.

A cooperative study made by Government and representatives of industry showed that coal research expenditures in 1955 amounted to a little over $17 million, and it is unlikely that a major change has occurred since the study was made. This figure may seem large to some, but it is quite small compared with the amount of money that goes into research to support other segments of our national economy. Let me just mention for comparative purposes that petroleum is spending about 10 times as much money on research as is coal. As a result of these efforts, there are new markets for petroleum now that either did not exist 10 and 15 years ago or were served by coal. Similarly, about half of the sales income of the drug industry comes from products that are the results of its research efforts. Many of the products were undreamed of just a short time ago. These are only two examples to show that research and development are useful and that they do pay off in terms of bigger markets and a stronger and healthier industry, one that has the financial ability to support ever expanding research and development activities.

In the coal industry, too, we have some indications of what research can do for us. The Curtiss-Wright Corporation has announced a new material made from coal that shows superior properties as a road surfacing material. The people in the anthracite area in Pennsylvania were happy to learn that plans are under way to gasify some of the anthracite culm and convert it into high-grade chemicals of various kinds. These are examples to show that research and development can create new and profitable markets for the coal. They are isolated cases—little brooks—that ought to be brought together into a broad stream of research to flow with full force for the benefit of our great coal industry.

On the other hand, let us be realistic and recognize that even a greatly expanded research effort is not going to cure all the ills of the coal industry overnight. Since the annual production of coal is measured in hundreds of millions of tons, new uses—to be felt on any scale at all—must require large amounts of coal before their benefits are available to the coal industry generally. These new large markets for coal are not going to be discovered quickly, but will require extensive research efforts.

To return to the research possibilities that exist for coal, I noted in a Bureau of Mines report submitted in evidence during hearings before the Special Committee on Coal Research a listing of 209 possibilities for coal research. Just recently, I learned that the Bureau of Mines has started work on the development of a coal-fired gas turbine for large-scale stationary use. There is also some very fine research work being done now on coal mining, coal preparation, and coal utilization problems; there are some new developments in the storage and loading of coal, and worthwhile efforts are being made by industry, academic institutions, and State and Federal Governments to establish a sound low-temperature coal-carbonization industry.

These constructive research efforts are being made by competent research organizations now in existence, however, it is the general feeling that these groups may be working in circles, duplicating needlessly the research efforts of each other. Close scientific ties with each other is needed so that there will not be an unnecessary duplication of research effort and wasteful spending of precious research dollars so badly needed by the coal industry.

Federal funds must be used if we want a more forceful research program undertaken, because the coal industry is not in a position economically to finance major additional research. Therefore, if we want a more comprehensive program on development of new uses for coal, and if we want it to be carried out within the framework of the Federal Government, it would seem appropriate to support and enact this measure, so as to shoulder the broader functions concomitant with a much enlarged coal research program. This would be an effective means of avoiding duplicate administrative channels and duplicate research efforts. It would conserve dollars and channel them into the most desirable and promising projects that must be undertaken to develop greater use, larger markets, and new outlets for coal.

I, therefore, recommend that a coal research bill be enacted into law, and will welcome your support.

Mr. ASPINALL. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. POWELL].

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me?

Mr. POWELL. I yield to the chairman of the committee.

Mr. ASPINALL. Mr. Chairman, I wish to commend the gentleman from New York [Mr. POWELL] for the fine way he has taken hold of his duties as chairman of the Subcommittee on Mines and Mining. He has been most industrious; he has been in attendance at all of the meetings and has given of his many talents. He has learned the work, I believe, as well as any person could possibly learn it who had not been acquainted with it any more than he had up to the time he took over the subcommittee chairmanship.

Mr. POWELL. Mr. Chairman, I thank our distinguished chairman for those remarks because, as the gentleman from Pennsylvania [Mr. FLOOD] said, the closest I had been to a mine was the New York City subways. But I have been so ably directed by the distinguished chairman of the full committee, the gentleman from Colorado, and supported by the 18 members of the subcommittee that it has been a great education to me. I would like to say, however, that the gentleman from Oklahoma [Mr. EDMONDSON] is the one who has done the greatest work in this field, along with the distinguished ranking Member on the minority side, the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. Chairman, I have been shocked, as the chairman of the Subcommittee on Mines and Mining, at the callous disregard by nearly every segment of our Government and American life of the mines, mining, and mineral resources of our country. And, as I have peeled away layer after layer, I am getting down to the place where I feel that the absolute security of our country is in danger.

Here we have before us this bill, the coal and research bill, which is long overdue. As the gentleman from Pennsylvania [Mr. FLOOD] testified before our committee, the coal supply of America is now 25 percent below the danger point, meaning that in the event of war we are 25 percent below the danger point. It is further shocking that we are not stockpiling anthracite coal.

Our oil and gas reserves represent only about 4 percent of the fuels of our country while coal represents 84 percent. It has been argued that there should not be an independent commission and, yet, every single Member who presented bills—and there were some 21—every representative of management, and every representative of labor under quesitoning by me and by my colleagues said the independent commission was the only solution.

Finally, Mr. Chairman, I would like to point out that the head of the Bureau of Mines, Mr. Ankeny, under questioning by me, when I said, "If an independent commission is passed, what will the Bureau of Mines do then as regards research?" he replied, "We will increase our research in the field of coal." I think this is the one clinching argument for passage of an independent commission which is long overdue and sorely needed so that these islands of suffering in our country in Kentucky, in Pennsylvania, in West Virginia, and in Alabama and elsewhere shall become a part of this continent and receive the just rights that they should have.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Chairman, I am happy to rise in support of this legislation. A similar bill was reported out of our committee last year and had my full support at that time. It is unfortunate that this legislation was not approved last year, and we are starting a year late in this important field.

Mr. Chairman, I want to commend the chairman of our committee, the gentleman from Colorado [Mr. ASPINALL] on the splendid manner in which he has handled this legislation. I also want to commend the chairman of the subcommittee, the gentleman from New York [Mr. POWELL]. It has been a great

pleasure for me to serve both on the subcommittee and on the full committee. I also want to commend our colleague, the gentleman from Pennsylvania [Mr. SAYLOR], on being the original sponsor of this proposal.

I also want to mention the gentleman from Oklahoma [Mr. EDMONDSON] who was chairman of the Special Coal Research Committee during the 84th and 85th Congresses. I was happy to be a member of that committee. The committee, under the able direction of Mr. EDMONDSON, did a splendid job. We visited a number of coalfields in several States and heard the story first hand as to just what was wrong with the coal mining industry. I was very much surprised, I might say, to find a general feeling of optimism in the coal mining industry regarding the future of coal. There is a feeling among coal mine operators, and others, that coal is coming back, not in the immediate future, but perhaps within the next 10 years. The problem of the industry is to find a way to stay in business and continue operations until this time arrives.

The purpose of this bill is to find new uses for coal, and to stimulate the production of coal at this time.

I think everyone agrees that more research in coal is desirable. I observed during the hearings held by the Special Coal Research Committee that there has been a great deal of interest in coal research, and I do not mean to imply that this field has been completely neglected. I feel that the Bureau of Mines has done a good job, and also the industry itself. However, it appears that a more extensive effort in research should be made at the earliest possible moment, and the passage of this bill will accomplish that objective.

I represent the largest coal producing field in Colorado. I recall in my home county some years ago we had, perhaps, 35 or 40 large coal mines. Some of these were large mines which employed several hundred coal miners. Now, we have two mines left in Los Animas County. These mines belong to the Colorado Fuel & Iron Corp. which must have this coal to produce steel in their Pueblo, Colo., plant. I want to do everything that I can to encourage and stimulate the production of coal in this country. It is obvious that the loss of our coal markets has resulted in much distress and suffering in many of our coalfields. There are those who have devoted their entire lives to the coal mining industry and it is now very difficult, and in many cases impossible, for them to make an adjustment late in life and find other employment. Our committee visited several coalfields where the unemployment situation was very acute, and there was no work available for the many miners who had worked in the coal mines for many years. Mr. Chairman, I feel personally very optimistic about the future of the coal industry. I think the time is coming, and I hope it will come within the very near future, when we are going to see a much larger demand for coal than we have seen in some years. I believe we are going to see coal again take its place at the top, or very close to the top, of the producers of energy in this country. Every indication seems to point in this direction. We can do our part by passing this bill today, and thereby stimulate the production of coal in this country.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CHENOWETH. I yield to my friend from Iowa.

Mr. GROSS. If the gentleman is so optimistic about the future of the industry, why do we have this bill before us today?

Mr. CHENOWETH. I would say the coal industry needs assistance at this time in developing new fields for the use of coal and in providing new techniques for the development of byproducts from coal. I am sure the gentleman from Iowa will agree with me that other industries have large and extensive research programs.

While coal has also had a research program, there is the general feeling that it has not been adequate to meet the situation. So I feel this is money well spent and that the production of coal will be increased.

Mr. GROSS. Can the gentleman tell us how much money is presently being expended each year for research in coal?

Mr. CHENOWETH. As a member of the Special Coal Research Committee I took special pains to try to ascertain that figure. It was something in the neighborhood of $17 million. I feel that the industry deserves great credit for what it has done in the field of research, and is doing now, but it is the general feeling that this has not been enough.

Mr. Chairman, I hope that this bill will pass, so that an expanded research program for coal can begin without further delay.

Mr. ASPINALL. Mr. Chairman, I yield to the gentleman from Kentucky [Mr. NATCHER] to extend his remarks.

Mr. NATCHER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Chairman, on January 7, 1959, I introduced the bill, H.R. 1047, which provides for the creation of a National Coal Research Commission. This is a similar bill to the bill now under consideration, H.R. 6596.

Notwithstanding the fact that we all recognize coal as one of the country's top energy resources, we are presently confronted with many difficulties in our coal-producing sections of this country. In Kentucky we produced 84,241,000 tons of coal in 1947, and in 1957 only 75,846,000 tons of coal was produced. The figures for 1958 will, in my opinion, show still less production for Kentucky. Seventy-one thousand two hundred and sixty men were employed in the coal fields in Kentucky in the year 1950, and in 1956 only 37,039 were employed. We have more coal mines than any other State in the Nation. Two-thirds of the 2,000 mines in Kentucky produce less than 10,000 tons of coal a year, while more than one-half of our production comes from about 80 large mines. Underground mines produce more than 76 percent of Kentucky's coal and strip mines produce approximately 22 percent, with the balance coming from auger mines. Eastern Kentucky's coal production in 1957 totaled 49,800,000, and western Kentucky's output was 26,738,000 tons.

In the coal-producing sections of Kentucky we are suffering from loss of population and we have a number of chronic labor surplus area sections. Some 32 counties are in an emergency category with surplus food and supplies furnished to the people who are unemployed. Our leaders in the field of atomic power all realize that it will be some time before atomic electric power will be competitive with electricity produced by conventional fuels. It is imperative that we establish a Coal Research Commission which will result in the development of new uses for our coal and will improve and expand existing uses. In addition, production and distribution can be studied with more effective methods resulting. Creation of a Commission will be invaluable in connecting existing research programs and the results accomplished will bring great relief to our people.

Mr. Chairman, I rise in support of the bill H.R. 6596, and ask for its immediate passage.

Mr. ASPINALL. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, I feel certain that the Committee will develop the arguments in support of the bill, but for the purpose of emphasis I want to add these words in connection with the great anthracite industry. You are going to hear a world of information and arguments about the soft coal industry, but I want to point out to you that in the anthracite fields of Pennsylvania we have collie dogs that with their hind legs can scratch bigger holes in the ground than they have any place in the soft coal fields, and we want you to know that there is an anthracite coal industry. Actually we are close friends and work hand and glove together.

I want to be sure that if and when this bill becomes law, as I am sure it will, the administration becomes concerned in its administration and execution of the law to give proper and careful attention and scrutiny to the great anthracite coal industry.

I want you to know that 90 percent of the anthracite coal reserves lie in my district and that of the gentleman from Pennsylvania [Mr. FENTON].

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield.

Mr SAYLOR. I want to be sure that the gentleman does not leave the impression that all the miners in the anthracite coal field are collie dogs.

Mr. FLOOD. As I said earlier you will hear quite a bit about bituminous coal. I am speaking about this fine type of fuel that lies underground in these areas of Pennsylvania known as anthracite or hard coal.

In connection with this bill there are three points we should consider: The first is that this is the Nation's greatest

remaining natural mineral resource, coal. Secondly, this will serve in a great measure to strike at the chronic and growing unemployment problems in these coal mining areas in some 20 States; and, finally, the future of our economy and of national defense is intimately involved here. If and when, God forbid, there should be an outbreak of hostilities, liquid and gaseous fuels probably would be sequestered for defense purposes, and the Nation's great industrial potential would be forced to rely upon coal as its principal fuel.

Keep in mind that 90 percent of our fuel potential lies in the various coalfields throughout this Nation.

Mr. Chairman, the creation of a coal research and development program is needed for America's security, for the economy of our coal-producing regions, and for a guarantee that our national resources will be able to meet the demands of future generations.

One factor which would be considered in the case for establishment of a coal research program is the unpleasant reality that, should a national emergency result from present or future world crises, our country would be in immediate need of large, dependable energy supplies. A supreme effort would be required of America's fuel industries and the enactment of a coal research and development program now would help make certain that our Nation's coal industry would be ready for such a supreme effort.

One great need is for research and study in the field of more economical distribution of coal, be it by pipeline, conveyor belt, improved and less expensive car loading and unloading, and the cost of coal car construction improvements at less cost per unit; means and methods of reducing the transportation cost on foreign shipments of coal.

Such a commission could look into the means of improving the processes of thawing frozen coal; study the means of obtaining more equitable freight rates; research to increase the quantity of anthracite used in coke manufacturing and blast furnace production of steel; research to increase the industrial use of anthracite in steel production and in the metallurgical field; research is needed in the design and construction of coal-fueled gas turbined engines; further research could be made by such a commission into domestic and industrial coal-burning equipment and ash disposal methods, research into improved methods of producing electric power through the use of turbines; improved techniques of mining to reduce production costs.

Advancements made in the various fields which I have mentioned will aid immeasurably in improving the economy of the hard hit coal industry, an industry that has served this country well in all past emergencies.

Mr. Chairman, there is a compelling need, from the standpoint of the coal industry's economy and the Nation's future fuel requirements, for a coal research program. An economic stimulant is needed, and needed badly, to reduce unemployment in the coal areas. It is important to point out, also, that the coal reserves of the United States are the Nation's greatest mineral resource available for immediate development and use.

From the consumer's point of view, there are numerous other factors involved in a coal research program. Coal is already the basis of countless chemical products. By capturing the gases and tars in metallurgical ovens, for example, the coke and chemical industries have been able to develop explosives, plastics, fertilizers, nylons, and a thousand and one other commodities. These are the things, Mr. Chairman, that can be done, and have been done, through the processes of research and the possibilities for greater discoveries and uses for coal are unlimited—but the means must be provided to do this job and through the establishment of a coal research and development program I am confident that impressive strides will be made in behalf of the coal industry and in the public welfare.

Congressional recognition of the need for improving conditions in coal areas through a vigorous research effort will be welcomed enthusiastically in all coal regions—such as the one I represent, Luzerne County, Pa., where thousands of men have been out of work for a long time because of the depressed state of the coal industry.

Mr. Chairman, the establishment of a coal research and development commission as proposed in this bill will serve to strengthen the coal industry, support our national defense program, and shore up the economy of the great number of coal areas in this country where the only salvation remaining is for the Federal Government to step in and assist these chronically distressed regions.

Mr. Chairman, make no mistake about it, you are the most important man on the committee. You represent the great consuming area for anthracite coal, and I am very delighted to see you and your consuming interests indicated here in behalf of the coal industry and, of course, more especially the anthracite coal industry.

The thing that excites me about this proposal is the tremendous scope that is envisioned in this legislation. I see our stalwart to your right, the gentleman from Pennsylvania [Mr. SAYLOR], who has been with us in this from the very beginning and who has been plugging at it, and I know of his tremendous concern.

I have introduced this legislation which is identical with Mr. SAYLOR'S bill and other bills of members of the subcommittee, and from both sides of the aisle in the House. I just want to deal with that one phase. There will be so much done here. I repeat for the purpose of emphasis that it is overwhelming to see the breadth, the magnitude, the purpose, the horizons that have been indicated as the purpose of this commission and this legislation.

It is not merely a question of going into the mines and digging out X tons of coal; that is, of course, the basic problem. But beyond that there are so many, many, many related and ancillary problems that you are looking at here which make this one of the most important pieces of fuel legislation I have ever seen in the 15 years I have been here.

Now, of course, my heart has been bleeding for years for my brothers from the oil-producing areas. And you and I know that this entire Capitol is covered with a film of oil, I do not know how thick. Everything you taste, touch, feel, or breathe has oil in it. We have no brief against them, but we would like to exist up to the point of reason and I know that they will shoulder this wheel with all of us to help us out.

Let me just indicate to you what you are doing. By the way let me say this: I was interested in your introductory statement and I hope and pray we do not go into the field with any more of the subcommittee hearings. I know how exciting it is for new members on committees and subcommittees to take a committee of distinguished colleagues into his hometown and have a hearing at the courthouse. It is a wonderful thing and I am for it, because that is exactly what I did 2 years ago with your subcommittee. However, now that that has all been done, I would like to see the bill reported out as soon as possible.

I am grateful to you people and I know the gentleman from Pennsylvania [Mr. SAYLOR], the gentleman from Oklahoma [Mr. EDMONDSON], and the distinguished chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL], and others were in my hometown of Wilkes-Barre, Pa., on the hard-coal phase of this after they had left Mr. SAYLOR'S hometown, Johnstown.

So there were two hearings held in our State and you would be delighted to know the tremendous outpouring of labor-management men to represent every phase of the entire hard coal economy voluntarily coming to these hearings and testifying at great length supporting this proposed legislation.

Now look at what you are doing. You are talking about you realize the need for research, of course, and study, but you are interested in the distribution of coal, you are talking about pipelining it, you are talking about conveyor belts, you are talking about the improvement of the type and kind of transport car, not only the great railroad gondola, but types and kinds of new models, and improved models of the small mine car in both fields of coal—soft coal and hard. And I have introduced legislation; so have others of my colleagues, looking toward the problems of the great mass transportation industry of railroads and the sick economy they are in. Because we admittedly are a sick man in the American industrial economy, and so is the railroad. And my friend has alluded to them in his testimony. Because the minute my coal mines go down, the minute the soft coal goes down, so many of my railroaders are laid off automatically. They do not go back to work until coal is produced.

Into my area of Pennsylvania I can get a ton of coal in there on a dozen railroads any hour of the day or night. There are more railroads going into Wyoming Valley than to any place in the United States, except Kansas City.

Imagine that. Ten or twelve great railroads go in there. I can take a ton of coal out of there any hour of the day or night, but I cannot get you in there more than once a day as passenger on any railroad. So we have these problems when the railroads are affected by the loss of coal production and the loss of coal markets—the great allied and related serious economic cancer.

I want to see the railroads receive Government research aid and monetary aid and subsidies for the production of these freight cars, gondolas. These railroads cannot offer to build and buy these things. They are going to need help in the research and development for the type, nature, and kind of construction of coal transport trains and cars and vehicles, and they may need Government subsidies by a loan over a long period of time, to be worked out by experts, to permit these cars to be produced. It is a great burden and they obviously just cannot meet it. Something must be done about that.

You are going to look at that. Imagine in a coal bill looking at a thing like that. This is one of the exciting things that makes this so important, and the commission approach paramount, rather than burdening existing agencies with these unrelated problems to their purpose.

You have the improvement for the thawing of coal. Coal country is pretty generally cold country, and in my mountains it gets plenty cold—10°, 15°, 20° below zero—with these great coal masses on the surface and in the cars and in stockyards, because where coal is consumed for domestic heating purposes, as most of mine is—mine is primarily a domestic consumption, heating fuel, rather than industrial, although you are going to examine the industrial potential. Why is hard coal not used for more industrial purposes? That is one of your great objectives and targets.

So your coal freezes. We use water for its cleaning. It freezes just by assimilation because of temperature. It is a tremendous problem in utilization and in transportation, and you are going to look into that in various ways.

Allied with the transportation problem is the problem of differentials in zones, geographically and by instability through the tariff and ICC problems on freight rates. That is a chronic and historical problem here in all phases of our economy, but it is also as important to coal as it is to wheat or to steel.

The differentials in the zones on tariff rates on coal transportation is a vital problem to coal and has never been adequately examined. You are going to look at that.

I have the extremely interesting and exciting possibility of going back to steel production.

Now just outside of my hometown are the remainders of the great open hearths where steel was first reduced from iron ore, and the fuel was not coke, bituminous or metallurgicals, but was anthracite coal. The first fuel used in the reduction of steel of high quality from the ores in the north were in my area and residuals of the physical properties are still there, which we come and look at, and students and engineers come and examine.

There has been a tremendous renaissance of interest by metallurgical engineers and steel technicians by generally utilizing it in some way. What way, what combination of ways can we use hard coal?

There are sintering programs which are being utilizing in the last few years in the reduction areas. Great steel reduction areas are considering the sintering process. Coke is very expensive, especially metallurgical coke is extremely expensive. Steel is concerned with cost reduction. They are examining, and you are going to help them examine, of their own motion this unlimited horizon to generally bring about a rebirth of the use of anthracite coal in this fantastic economy of steel production.

Generally there are related metallurgical potentials in the vast school and market of the metallurgical industry.

There, too, if one can be done, why cannot the other?

And so these acute and delicate refinements of metallurgical fuels, are they going to bring, through your bill and this committee, this possibility which means so much to us?

Then I, with most of the men from the hard and soft coal fields, over a period of years have had legislation before the Congress for the stockpiling of coal, for the stockpiling of the fuel. Particularly is that important to the anthracite coal industry.

We have worked with the Department of Labor and industry for years on this. We have tried to utilize it by how this will contribute to man-hours of work. We have gone back to the beginning—how many hours of work produce a ton of coal?

If so many hours will produce so many tons, how many man hours of work will it produce.

Do not forget in all of these things you are doing, you are going to put men to work in the most distressed economic areas of this Nation where unemployment is not seasonal, where it is not underemployment, but where it is actually a cancer, chronic, acute unemployment. Not seasonal, not industrial in the sense of the geography, not controlled by markets or the fluctuating economy, but a basic fundamental cancer upon the economic body of the coal producing areas, gnawing at its vitals, destroying it, growing progressively worse.

We do not know what can be done. We do not know if this cancer can be stayed or eradicated. We do not know. You are going to do the one big thing with this broad attack to really strike at the heart of a vicious, vicious economic evil, and we think a stockpiling program should be examined.

There is some evidence on this in hearings before this very subcommittee in the last several years.

How many thousands of tons, what kind of a marketing problem do you have, what kind of a storage problem do you have when you store coal, if you stockpile it? How will that affect the price condition of the market if you stockpile it? How can you control prices?

All of these dozens of problems are related to a stockpiling program.

We feel it is essential to stockpile and produce for national defense, for emergency conditions of weather in your great metropolitan consuming areas. This is a program in itself that you could devote much of your combined effort to. You are going to look into that.

So you see how far you are going. You are going to ask engineers, designers, theoreticians in mechanics to create new types of hardware to mine the coal. You are going to ask another school of technical and mechanical theoreticians to create and develop turbines in which we can use gas born from coal to produce energy.

You are going into all of that as well as the things I have just indicated.

This will include coal-burning equipment. You are going to take out of the cellars of the consumer these gigantic octopuses which have their arms all over your cellar. When we put a coal furnace in the bottom of a man's cellar, its arms reach out like octopuses and take up the whole place. It is ridiculous, it is archaic, it is obsolete, it is not good, it is bad in every sense of the word. You do not like that, so you are trying to figure out how small of a package can you create in research beyond what the industry is doing. And they are not doing enough, they have never done enough.

One of the great criticisms of the anthracite industry is that they have never borne their share of the burden of setting aside funds in research and development like the oil people have done, like all other industries have done. The anthracite industry has never done what it should have done in the last 50 years with its own money in research and development. They can be criticized for it, and you have properly done so, but they are seeing the light of reason now and they are joining you, late as it is.

So you are doing that. You are going to be able to put in madam's boudoir a furnace, pink or blue, where no residuals of any kind—that is what you are thinking about, and that is extremely important.

I was in Germany 2 years ago, and spent 3 weeks in the great Ruhr Valley. I visited the Essen mines of production in the Dusseldorf area, and there I spent 4 days at a tremendous plant of Ruhrgas, which is a great gas producing and distribution combine in the Ruhr Valley, and its gas and fuel grids cover all of the middle and northeastern section of the West German Republic.

We sent 2,000 tons of coal from the coal regions over to these people because of the vast experience and know-how they have had in gasifying coal. They have been gasifying coal for years.

You know that the great German Army in World War II ran its vehicles on gas reduced from coal, and much of it hard coal.

We have been doing some timid experiments along that line—starved for money, starved for lack of interest at the department levels. I do not blame In-

terior and the Bureau of Mines. It is because there was no interest, no concern. Congress never gave them enough money, we never gave them enough people. It was sort of a parenthesis of their operation.

You heard what happened to the oil reduction element at St. Louis. I can tell you of a mine in Alabama, soft coal, where we spent money to seal off and gasify, as the Russians and Germans have been and are doing, where they seal off a mine, ignite the coal and draw off the gas. You can break down gasified coal, anthracite or bituminous, and make anything out of it except babies, and I am against babies being made except in the traditional way. The minute they begin to make babies out of coal, then I am against coal. That is going too far.

The Russians insist that for years they are commercially operational in the gasification of coal. We do not know as a fact whether they are or not, but they say so and a lot of other people on our side of the Iron Curtain say so.

The Germans have done it. In the Ruhr Valley, at the peak seasons of the year and at the peak hours of the day of those peak seasons of the year, when there is a tremendous demand for gas, the Germans have a single industrial gasification plant set up and operational, and at a certain hour of every day they cut into their gas grid.

Now, they use manufactured gas as the basis for the great Ruhr gas fuel and light, but when the demand is too heavy on the peak hours of the peak days of the peak seasons of the year they throw into their vast gas grid, gas made from coal, which mixes with the manufactured gases and other gases and produces the very best kind. And it is part of the German gas economy, it is part of the German fuel economy. It has been for years. It will happen at 4 o'clock this afternoon.

So, this is no long-haired, flat-heeled, university dream, this is a practical commercial operational thing, except in the United States of America where, because of balancing budget or because of dollars or because of lack of interest or because of the influence of other fuels, this has never had a chance until your subcommittee takes it by the throat and is going to make something come out of this.

We think this one thing may be the savior of the anthracite production market. Gasification may be it.

Many of our individual private gas companies are interested in this and have been cooperating in it and are working on it. These things we know.

There are some other things. I will not touch upon the improved techniques of the actual physical mining. That is the first thing you are going to look at—what can be done inside? How can you help the miner? How can you help the coal companies reduce the cost, which is very expensive. Deep mining, gentlemen, is a very costly, expensive thing. Some mines are more expensive than others in ratio to dozens and dozens of related problems. And that is the first thing you are going to look at—how can we help you people get a ton of coal to the surface at practicable cost.

Our worst enemy is water—the worst enemy of the hard coal mines is water—not subterranean streams but surface water. You people in Harlem might think I mean underground water. No, I do not. We can handle that pretty much by a brattice dam, a wood dam, not concrete. Cheveaux de bois—structure of wood to block off. A technical term.

We use concrete for certain purposes, because that is not always desirable because of earth movement. And we get hydrostatic pressures increased behind concrete that may burst the vessels. So we use brattice.

We have all those problems underground, mechanical things.

What are you going to do to help us with mechanical things to make it easier for the miner, to make it less expensive for the company?

Your technicians will, first, I believe, examine the technical and mechanical problems which are not yet fully explored. In the last 20 years it has been tremendous. And you will find the United Mine Workers of America, contrary to the attitude of labor in the industrial revolution in Britain and down through the years in other areas—the United Mine Workers of America joined hand in hand with industry in developing automation and mechanization to produce coal. It is not opposed by mine labor or the unions—they help, they encourage it.

Strange as it may seem, that is the history of this industry—cooperation between labor and management for the development of new mechanical processes.

This is the first time we ever heard of it in American labor-management relations, heard of this kind of thing.

Finally, let me indicate to you the importance of the mine drainage program. Many of my colleagues and I have introduced legislation that became law through the cooperation and intelligence of this committee. You gave us the mine drainage bill. We must keep the water from surfacing into our mines.

Our problem is surface water. The geological structure of our whole area is such that the surface looks like the windshield of your car if you hit it with a rock. And if somebody spills a glass of water, it runs down into the mine.

We have denuded our forests through shocking, disastrous, negligence, and bad forest planning, and you cannot control surface water without forestation. We have denuded our forests, we have raped the forests of this Nation even in our coalfields. And so, if somebody knocks over a pitcher of water at the top of a mountain, it runs down into the mines. Nothing will stop it, do you not see?

You are going to help us with mine drainage. We have limited funds. When these are spent we hope you will extend the program, that you will develop it to permit mine drainage, not done by the Federal Government, executed by the State, through their own mining bureau.

We are opposed to the Federal Government running these things. We want the State and local people to do this. It is a home-rule operation. But we need your guidance and we need some of your money. We are matching you dollar for dollar in the drainage program. It is no handout, nor giveaway, and we are badly pressed for money, but we are matching you dollar for dollar. We will match you again dollar for dollar. We need three or four times the money you are giving us, and Bureau of Mines could not do better than they are doing technically in the last 2 years.

So, Mr. Chairman, that is the dramatic scope, that is the potential, and it can only be done by this concept that you have in your bill, and in which I join you in mine, of a commission which will be fresh on this, will be dedicated to it and devoted to America's basic and greatest fuel potential.

I know that the bituminous people, because of the size of their industry, their great market, their great values, has done much, much more. As a matter of fact, chemically, I am advised that the potential within the bitumite are superior because of its chemical composition to those in the anthracite, and that would be one reason why the bitumite people have done much, much more even themselves. But even they have not done what they should have done through the last 50 years, and certainly anthracite has not done almost what it should have done in all of these years, and that is why we come to you, hat in hand, and we apologize. We should have done more, but we cannot debate that.

We thought we had an export business, and one of the things I am asking you to go into is the examination of my request for charter parties of the mothballed commercial transportation fleet to give me direct charters from Philadelphia to Belgium ports and British Isle ports with hard coal and not tramping, coming in ballast.

There I have the State Department in my mustache because they say that is discriminatory against two nations, and you have to do it for the whole world and continuously do it for coal ships to two or three countries. That is nonsense and utterly ridiculous.

What happened to the corporation of the United Mine Workers that was going to ship coal?

It was frustrated by the inability to do what I am telling you now. The State Department has got in our way. Not only this attempt by the United Mine Workers to buy ships, to finance its own fleet, but I had meetings with representatives at Antwerp and Liverpool. I met at Antwerp with a committee of 26 of the great wholesale and retail coal producers of Belgium and the Low Countries, I met in Liverpool with the British and Welsh, and they want American hard coal. But we cannot put it down on the dockheads at Antwerp or Liverpool competitively, unless we get charter parties with our own ships dedicated to just that purpose, not to compete with the tramp merchant marine. We will go from Philadelphia to Antwerp or Liverpool and come back in ballast and run ships just that way. And we will meet all the American shipping and working requirements. We do not want Panamanian flag or Liberian flag. We will use American

crews, American ships, and American men, and would not compete with anybody. But the State Department says, "Do not do that. If you do, we will have to do that with all the countries in the world." What in the world difference does that make?

We got the shipment to New York and got one launched, and then we ran into these objections from all the nations in the world that we were discriminating on this one industry and this one product, and they wanted to take out the entire merchant fleet.

Let me tell you what else we did. We said, "We do not want your best ships. Do not give us the good ones. Do not give us the good Liberties. We will take the old coal-burning, 9-knot Victory ships up in the James River, and nobody wants them; you cannot give them away. We will spend our own money to put modern machinery in to sail these ships."

And we said, "We will; it does not make any difference. Nobody wants these crates. We will recondition them, take out old coal-burning furnaces, and put in—God save the mark—even oil to make them go."

And the State Department said, "You cannot do that. We will get in trouble with Persia or someplace."

Who cares? I could not care less about Persia on this problem.

Vast horizons of export markets were working up, there was going to be export of coal.

What happened? We signed the reciprocal trade agreement with Italy, Germany, France. What are the French doing?

You cannot get a ton of American coal into France. Why? Because our great allies, under this reciprocal trade agreement, which is going to save the world for America and the French and the Persians, not any coal people—the French are bartering French coal with Communist Russia for electrical equipment today. You cannot get a ton of coal, hard or soft, in France, because they are doing business through the back door with the Russians for Polish coal. The Russians are stealing this from the Poles, shipping it at a market-breaking barter cost into France, and getting back electrical hardware from the French.

You cannot get a ton of American coal into Italy, because the Italians, under the operation of the last 2 years, have set up price and market controls in Italy against America. They do not say it is against American coal, but our coal is the target.

At the request of the American coal people, I met in Milan, 14 months ago, with the Italians and the Americans, and we could not get any place with the Italians in Milan on the basis of the prohibitory price preferential structures they are giving to European markets.

You have the coal under the steel-coal combine set up under the Economic Committees in Western Europe, which now includes the British Isles. And that combination—Italians, French, the Benelux nations—has embargoed American imports into France and into Italy.

Do you know what happened in Germany in the last 60 days? Germany was the great market that we thought of 2 years ago, when you were talking to the coal people, and when we had this optimism within 10 years. Much of it was based upon this vast export market which we were beginning to feel, especially my soft-coal friends. They had a wonderful vista. That is destroyed. Germany has embargoed the coal.

They say, "We cannot take your coal in because it is putting our own coal miners out of work. We cannot produce any coal. We are closing down our mines. Why should we take your coal?"

This shows you the fallacy, the Achilles heel, of the reciprocal trade program.

It is all right theoretically. It was like the League of Nations—sound in theory, but it did not work. Philosophically, I agreed. As a matter of political economics, I embrace the whole theory of reciprocal trade. For many, many years since I first came here I voted for it and spoke for it, until I came up against this flat discrimination, with no attempt or no interest on the part of this Government, Democratic or Republican administration, to do anything for the hard- or soft-coal people the minute we are embargoed. And they never have, up until 10 o'clock this morning.

I will not touch upon the residual fuel problems. You know all about that. And that has gotten worse this last 30 days.

Do you know there were Rumanian tankers in New York with residual fuel oil last month? Rumanian Communist Red tankers with residual fuel oil in New York a month ago?

Now, those are the problems.

Mrs. KEE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

Mrs. KEE. Mr. Chairman, as the Representative of one of the largest coal producing districts in the world, I am delighted that H.R. 6596 is before the House for consideration. I am strongly supporting legislation to establish a Coal Research and Development Commission.

The purpose of this legislation is fourfold. It calls for a program to, one, develop new and effective uses for coal; two, improve and expand existing uses for coal; three, reduce the cost of coal production and distribution; and four, emphasize those developments in consumption of coal of particular value to small coal producers.

There is no question but that this new program for coal is urgently needed. Coal production and consumption have leveled off to a degree that is far below the capacity of the great coal industry to produce. As a result, many miners are now unemployed. It is believed and hoped that the development of new and expanded uses for coal, under the direction of this new commission, will go a long way toward alleviating existing conditions of serious unemployment which are general throughout the coal producing areas.

But let me emphasize, Mr. Chairman, that this is not emergency legislation designed to combat current unemployment. I regard this legislation as a constructive move toward putting the coal industry on a permanent sound footing that will enable it to expand and prosper in the years ahead.

Coal is one of our most important basic fuels. We could not have made the great industrial strides which have given this Nation the world's highest standard of living without abundant and low-cost coal.

Other fuels have been developed and perhaps even newer fuels will come upon the scene in the years ahead. But it should be pointed out that coal, with its inexhaustible reserves, will always play a vital role in the Nation's economy. For too long, this basic natural resource has been neglected. It has been the official Government policy to create a climate which encourages the growth and development of the newer fuels, many times to the detriment of coal.

The legislation before us today offers an opportunity to balance the scales more evenly in behalf of coal. What is asked is not a Government subsidy nor financial aid in any form. Rather, this is a program that will help the coal industry to help itself.

Many individual coal companies are conducting vigorous research programs of their own. But the problem is entirely too large ever to be solved by such an approach. It seems to me that the Federal Government is the only agency which can provide the broad, overall direction that is so urgently needed. I am confident, Mr. Chairman, that with a research and development program such as outlined in this legislation, the coal industry, working hand in hand with the Government, can make tremendous strides in the years ahead.

In conclusion, Mr. Chairman, I want to thank the Committee on Interior and Insular Affairs, on behalf of the thousands of people in my district who are dependent upon coal for a livelihood, for the manner in which it has handled this legislation. The chairman and members of the committee have given sympathetic consideration to the problems of our coal areas. They have indicated a willingness to help these great sections of our Nation to help themselves.

I want to assure them that residents of coal producing areas are deeply appreciative of their cooperation and understanding.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may desire to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Chairman, I would like to commend the House Committee on Interior and Insular Affairs for reporting out H.R. 6596. This bill will result in the establishment of an extensive research and development program, under Government sponsorship, to revive the coal industry by finding new uses for coal, expanding existing uses and reducing production and distribution costs.

In my own State of Utah one of the most depressed areas is the coal producing area. Unless new uses are soon found for coal, thousands of small mines will be put out of business. Following World War II, many users of coal changed over to oil and gas in a number of important areas, and the struggle for existence will be even more difficult as coal faces the competition of atomic energy.

While the coal industry has been doing some research of its own, at least 95 percent of the 8,000 companies engaged in the mining of bituminous coal and lignite are small companies who do not have the excess funds available for research.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, H.R. 6596, which embodies recommendations contained in legislation I introduced over the past several years, provides an opportunity for Congress to set a positive course in one important phase of the Nation's energy panorama.

Within a relatively short time a national fuels policy is going to be established. Of that I am confident. With population increasing rapidly and requirements for mechanical and electric power rising constantly, there can be no escaping the fuels issue.

Nature has provided us with several sources of energy. Those which we have utilized this far are exhaustible. Eventually we may develop a source about whose sufficiency there need be absolutely no concern.

Between 1800 through 1950, bituminous coal was a source of 46.1 percent of the heat and mechanical energy produced in the United States. Fuel wood was second with 18.6 percent, followed by crude petroleum at 16.6 percent, anthracite 18.8 percent, natural gas 6.3 percent, and water power 3.6 percent.

There have already been some shifts in the standings, and a new listing has been reserved for atomic power. The chances are that, at least through this century, bituminous coal's position will not be challenged, and only a sensational and unexpected development in the field of nuclear fission will threaten coal's leadership for many decades to come. At a recent convention of the National Coal Association, H. C. Anderson, of the General Electric Atomic Power Division, said that coal faces only negligible competition from nuclear fuel as a source of electric power in the next decade.

With reserves of bituminous coal amounting to more than 90 percent of our natural energy stockpile, as compared to less than 1 percent for oil and gas combined, it would be foolhardy to neglect a single opportunity to expand development of coal's productive processes and its uses.

To emphasize the enormity of coal reserves, I should like to point out that total production from our earliest records to the present time amounts to approximately 35 billion tons of anthracite and bituminous coal combined.

Despite this fact, there are almost a trillion tons of minable coal reserves remaining—or approximately 25 times all of the coal that we have extracted in the last two centuries.

It is of interest to state that our new State of Alaska contains 2 percent of the estimated world coal reserves, bringing to 38.1 percent the total U.S. share.

While I am confident that deeper drilling and new discoveries will continue to provide ample supplies of natural gas and oil for a long time to come, we must nevertheless recognize that there is a limit to what can be expected of these fuels.

Mr. W. M. Elmer, president of the Texas Gas Transmission Corp., was refreshingly frank in his address to the National Coal Association convention last week. He said that the present 22-year life index for natural gas is no indication of future reserves available, but at the same time he was emphatic in observing that he did not want to leave the impression that we have an inexhaustible gas supply.

He spoke of the development of a synthetic industry in the oil shale region of Colorado, where supplies will originate and be distributed over the present natural gas lines. As for petroleum, there is certainly no shortage in sight, yet it is true that we are depending more and more upon foreign sources for this fuel.

There is no doubt but that the time has come when we must look to coal to take care of a rising portion of future energy demands. Oil companies have already indicated a very definite interest in the establishment of a commercial synthetic fuels industry in coal regions. Thus coal as a base of gaseous and liquid fuels production is one important factor in a research program.

H.R. 6596 is designed to provide an independent Coal Research Commission to provide impetus and an overall direction to the research program. This legislation not only brightens the energy supply picture, but it also offers improved mining methods.

The coal industry has made remarkable strides in production through mechanization of its mines. At the same time there has been a noticeable improvement in industry's safety record. In neither case, however, should we be satisfied that further progress is not necessary.

By more intense application of science and engineering, additional achievements in coal production are inevitable. As for safety, there is considerable research that must be undertaken, beginning with geological problems.

A review of the testimony presented to the subcommittee studying the feasibility of research legislation reveals that industries allied with coal strongly advocate this program.

It is also supported by the electric utilities, coal's No. 1 customer. The electric power industry has a magnificent performance record, but the public stands to be recipient of increased benefits by the extended use of electricity as a household servant.

Some utilities are in the midst of a project to make electric home heat available at reasonable cost in the many houses that will be constructed in the months and years ahead in various sections of the country.

In addition, an increasing number of families are finding it possible to install air-conditioning units in their homes. Coal will continue as the principal source of power behind electric power, and anything that can be accomplished in the way of increasing the efficiency of these two industries will accrue to the advantage of the general public.

Mr. Chairman, I need not dwell at length on coal's role in the mobilization base. In World War II America's production objectives could not have been realized without the coal industry's ability to accelerate production by 75 percent in a 6-year period.

Production of steel, aluminum, electric power, chemicals, and the finished materials of offense and defense will meet schedules in our present era of uncertainty only if fuel supply keeps pace with demand.

Coal is vital in peace and war. We must not neglect it from a standpoint of production, transportation, or utilization. The research program envisioned in H.R. 6596 is necessary to the welfare of this Nation and to its individual components.

CALL OF THE HOUSE

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 80]

Alexander	Gathings	Rabaut
Alford	Giaimo	Riehlman
Arends	Glenn	Riley
Ashley	Goodell	Rivers, S.C.
Ashmore	Gray	Rogers, Mass.
Barden	Gubser	St. George
Baring	Harmon	Santangelo
Barr	Healey	Scherer
Barrett	Herlong	Scott
Bates	Hoffman, Mich.	Shelley
Becker	Kearns	Sheppard
Bentley	Kelly	Slack
Blatnik	Keogh	Smith, Miss.
Bolling	Lankford	Smith, Va.
Brown, Mo.	McDowell	Taylor
Buckley	McGinley	Teller
Budge	Macdonald	Toll
Byrnes, Wis.	Machrowicz	Tollefson
Cahill	Mack, Ill.	Tuck
Canfield	Magnuson	Utt
Casey	Mailliard	Wainwright
Celler	Meader	Weis
Cohelan	Merrow	Whitten
Cramer	Miller, George P.	Widnall
Curtis, Mo.	Miller, N.Y.	Williams
Dawson	Moeller	Willis
Derounian	Monagan	Winstead
Diggs	Moore	Withrow
Dollinger	Multer	Wolf
Dorn, S.C.	O'Brien, N.Y.	Wright
Durham	Pelly	Yates
Farbstein	Pilcher	Younger
Flynt, Ga.	Pirnie	Zelenko
Fogarty	Preston	
Frelinghuysen		

Accordingly the Committee rose; and the Speaker pro tempore, Mr. McCORMACK, having resumed the chair, Mr. BOLAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6596, and finding itself without a quorum, he had directed the roll to be

called, when 330 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. ASPINALL. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I think the debate thus far has demonstrated several things that are beyond contradiction about this matter which we are discussing today. One of the first is that this is not an overnight problem, nor is it an overnight solution that has been brought to the floor.

This House recognized by a resolution adopted in the 84th Congress, back in 1956, that there was a need for some special attention to this problem by the House of Representatives. Under the special directive of that resolution, a special subcommittee studied this problem at considerable length and in several of the States of this Union. We heard representatives of seven Governors on the subject; we listened to representatives of the greatest organization of miners in the United States, the United Mine Workers, and of the National Coal Association, and of many other representative organizations across the country.

Most of us who were on that subcommittee that made the study went into the study with open minds insofar as the problem was concerned and insofar as the solution was concerned.

There has been some talk here already on the floor about the fact that some people object to the establishment of a special agency rather than administration under the Department of the Interior. I will say to this House very frankly that when I began my own study of this problem and took over the chairmanship of the special study committee my own disposition was to see a research program expanded under the Bureau of Mines. I have a very high regard for the career personnel in the Department of the Interior. I think they have done a splendid job on many aspects of the mining industry and its problems. The progress they have made in solving them has been historic.

But as we held these hearings across the country in our talks with representatives of the mining industry and of the different mining organizations we reached the conclusion that there was pretty clearly a need for a new approach, that there was pretty clearly and definitely a need for the concentration of effort; that there was very clearly and definitely a need for a development of this effort above the research efforts of competing industries. For all of these reasons this committee after objective study reached the conclusion that there should be an independent agency established to do the job.

Let me emphasize several facts about this research commission and its importance to your constituents and to this country. The problem of coal and what happens to coal in the future is not a local problem; it is not a regional problem. We have three great coal reserve belts extending across the country. Out in the West there is the great belt of coal reserves extending from the Canadian border down into Mexico on the south. Through the Midwest there is a great coal belt which runs from Illinois in the north country down into the State of Texas; and over in the East beginning in Pennsylvania the belt goes clear down the eastern seaboard into the State of Alabama.

Coal is a national wealth; it is also at this time a national problem. Twenty-seven States produce significant amounts of coal in this country; practically every State in the Union has some coal producing potential, and the problem of what is happening in the coal industry and what is happening to employment in that industry; and, more important than that, of what is happening to our fuel reserves and to this Nation's ability to produce its fuel is a very important problem in terms of our national security and in terms of this Nation's competition and successful competition with the Iron Curtain countries in the future.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Maryland.

Mr. FOLEY. I want to associate myself with the remarks of the gentleman from Oklahoma. The State of Maryland is one of the 27 coal producing States and most of the coalfields are in Allegany and Garrett Counties of the Sixth District of Maryland which I have the honor to represent. In the past decades, the coal mining industry in my district has shrunken and increasing numbers of miners rendered unemployed.

But we still have coal. H.R. 6596 will stimulate and encourage the production and conservation of coal. It is the long overdue means—the only means—to discover new uses of coal. Only by this means will the industry be revived. I strongly support this bill and commend the gentleman for his statement.

Mr. EDMONDSON. I appreciate very much the gentleman's comments.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. ASPINALL. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. EDMONDSON. Mr. Chairman, something else needs to be emphasized about the coal problem. This is not just the problem of a few big producers. As a matter of fact, these big producers in the coal industry are not nearly so much in need of this legislation as are the small producers. We have over 4,000 companies in the United States producing coal at this time, that is, bituminous coal, and over 800 anthracite producers. More than 1½ million men have been employed at various times in the coal industry. The present employment in the coal industry in the United States has dwindled down to a figure of approximately 200,000 in the bituminous coal industry and less than 40,000 in the anthracite coal industry. But the remarkable thing about this industry is that we have been able in the industry to greatly increase the productivity of the individual miner and by reason of that production to compete effectively for many foreign markets in the coal field.

I said a minute ago this is significant with regard to our fuel energy capacity for the future. Mention was made a few moments ago by the able chairman of the Mines and Mining Subcommittee, the gentleman from New York [Mr. POWELL], of the fact that 84 percent of the total fuel reserves in the United States was coal fuel reserves. If the predictions are correct that we are going to exhaust our fuel reserves in somewhere between 75 and 200 years in this country, it is of vital importance to our future that we make the best use of the coal reserves which we do have, that we do not dissipate or waste these coal reserves through uneconomical uses and uneconomical processes.

Mr. Chairman, of the many problems confronting the coal industry, it is generally agreed by all who studied the problem that the need for research is the No. 1 problem. The comparative research programs in the chemical industry, the textile industry, and the petroleum industry have already been referred to.

Consider for just a moment, if you will, what has been done in the research field in some of the other countries of the world in the field of coal.

Our committee found that not more than 1,000 professional people were engaged in coal research in the United States, that more than twice and possibly three times this number were employed in coal research in England, France, Germany, and Holland combined. We also found that Russia was employing about five times the number of professional people in coal research as are similarly engaged in the United States. It was this factor that impelled us to the conclusion that our Nation needed something significant to be done in its coal research activity if we were to keep pace with the other countries of the world and if we were properly to husband and conserve these vital and precious resources.

The subcommittee and committee reached this finding about coal:

> The history of the coal industry since the end of World War I has been one of erratic production, declining and uncertain markets, and at least 35 years of either net losses or exceedingly low net income.

We reached this further conclusion:

> Consideration of these factors leads the subcommittee to conclude that the future of coal and of the domestic coal mining industry as we know it today may depend primarily upon the progress that is made through coal and allied research and development.

We bring to you here today the modest beginning of a program to give to our coal industry the research and development which it needs for the future, a program that will mean, I think, a great deal in literally hundreds of communities across the Nation and in at least 27 States, a program that could mean a great deal in determining this Nation's capacity to meet the Soviet challenge in the future.

I hope that this House, when it has completed its consideration of the bill

and of the amendments that are being proposed in regard to it, will conclude with the committee which studied it that this is an industry which needs and even demands attention at this time; that this House, having given careful study to the problem for a period of more than 3 years, will take this action to see that we do solve this problem and raise once again the production and the employment of our coal industry to a level that will promote the general welfare of the United States and promote also its security.

Mr. SAYLOR. Mr. Chairman, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORE. Mr. Chairman, I strongly support H.R. 6596 which we are considering today. In fact, I am so thoroughly convinced that a Coal Commission is desirable that I introduced an identical bill, H.R. 13694, in the 85th Congress. Moreover, I urge that all Members of the House of Representatives give their support to the present legislative measure which would bulwark our American economy by "encouraging the production and conservation of coal in the United States by creating a Coal Research and Development Commission."

I stand foursquare behind H.R. 6596 because I am a West Virginian. Mine is one of the greatest coal-producing States in our Republic. The prosperity of the First Congressional District of West Virginia is tightly joined to the prosperity of the coal industry. The corner grocery store and the multiacred steel mill depend on coal. The crossroads community and the teeming metropolitan areas look to coal as their very lifeblood of growth and progress.

I stand firmly behind H.R. 6596 because I am an American. Coal is a major factor in defense production. That is not a subject which can be disputed. Coal is a major factor in American industrial advancement, whether that advancement comes in Vermont or Arizona. Coal is an arm of our foreign policy since it holds out the promise that currently undeveloped countries can—with coal—bring about their own development.

Research in the coal industry, productive of new uses, new products, and new methods, will bolster the basic economy of my State and my country.

Since this is my belief, I stand for the passage of H.R. 6596 in the 86th Congress.

It is a wise bill, a good bill. Once it is enacted into law, I am confident that it will inure to the benefit of the citizens of my State and will in turn give strength to the economy of these United States.

Mr. SAYLOR. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Chairman, this bill will do very little for the 16th Congressional District of Ohio. It will add to our tax burden. However, I am convinced that it is a good bill, and I am sure that the people of the 16th Congressional District of Ohio would want me to support it, because it may provide some help to a fine group of Americans who are in utter poverty in certain areas of our county—a condition we should not tolerate. And, I am sure they will want me to support it in the hope that it will be helpful to some of the people in Pennsylvania, West Virginia, and Kentucky. To me this is a bill to help America and Americans, and I shall support it.

Mr. SAYLOR. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. BRAY].

Mr. BRAY. Mr. Chairman, I am glad to support this legislation which would establish a Coal Research and Development Commission. I am not certain whether this research and development should be by a separate commission or under the Department of the Interior. However, since it is this bill that is before us, I am supporting it. Coming from one of the coal areas of the Nation I am familiar with the problems of the industry which make such research essential, and also with the great potentials of coal which make such an enterprise assured of success.

We are a Nation rich in resources—and one of our greatest mineral assets is coal. We have untapped reservoirs of this valuable source of energy and chemicals. The last century of industrial progress in America, which thrust us into a position of world leadership, would not have been possible without coal. We cannot begin to imagine a substitute for it.

I predict that the next century of progress will be just as dependent on coal as the previous one, although the varieties of its uses will be greatly expanded.

We can count on coal to supply us with our energy needs, by generating electricity, for the foreseeable future. Without subsidy, it has produced vast amounts of energy and is ready to do an ever-greater job. Whether atomic power will ever be a practical source of electrical energy is an unanswered question; for the present we know that it is several times more expensive to produce and, even with a Government subsidy, cannot be considered a practical power source.

Coal has kept millions of American homes warm through the coldest winters and can be counted on indefinitely in the future.

But in much more indirect ways coal waits upon the American public. It is used in synthetic fabrics, in dyes, and in the production of steel, aluminum, and cement. Byproducts include such unseeming derivatives as the following: vitamins, insecticides, aspirin, drugs, phonograph records, paints, weedkillers, cleaning fluids, fertilizer, film—and many others.

Yet most of this development has been accomplished on a relatively small amount of research. The Bureau of Mines has engaged in worthwhile projects, mostly designed to find long-range programs of development. Bituminous Coal Research, Inc., and the Anthracite Institute have done well with limited means. But the industry is spread out among many small producers; it is geographically and economically diffused. And its economic ups and downs of the last few years have prevented adequate research to keep the level of coal utilization up to its remarkable potential.

The petroleum industry, in which concentration and a variety of other circumstances makes concentrated efforts more possible, spend eight times as much each year for research. Sixteen times as much was spent on textile research as went for coal, and 21 times more went for studies of chemical developments.

We are dependent on coal. Many are directly dependent upon a thriving coal industry for their own economic well-being. We are all, as a nation, relying on our coal resources as one of our greatest strengths. It is a great arm of strength in emergency; an arm of utility in time of peace.

The coal industry needs encouragement and the revitalization of new challenges and opportunities. Yet we seek this research opportunity not at all in desperation, but in confidence. The possibilities of developing new and more effective uses for coal are virtually unlimited. A short-range program of coal research and development can do much to strengthen and make prosperous our vital coal industry.

I earnestly urge the favorable consideration of this measure.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, if I felt that this bill would do away with poverty in the coal fields of this Nation, I would support it. But, I labor under no such illusion. The gentleman from Oklahoma [Mr. EDMONDSON] said that this was a modest beginning. I say to him that I would hate to see an immodest beginning if this is modest. This bill provides, no matter how thin you slice it, for a brand new commission in Government, and we are already surfeited with them. It provides for three commissioners, each paid $20,000 a year, one of them $20,500. It provides for a staff, as I read it, and if I am wrong about this, I will be pleased to have somebody correct me. It provides for a staff of some 10 scientific and professional employees, their salaries ranging from $12,500 to $19,000 per annum. It provides $19,000 a year for a research director and, of course, it will require a staff of secretarial and clerical employees on top of that.

I have read the report in connection with this bill, and I fail to find any support from any agency of Government. If I am wrong, I will be glad to be corrected. Is there support anywhere from any agency of the Government for this bill?

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to my friend from Colorado.

Mr. ASPINALL. If the gentleman will read the report closely enough, he

will find that the agencies of Government which appeared before our committee are in support of the bill. It is true that one agency of Government desires to have the right to administer it, but there is no agency that reported upon this but what does not favor the program as contemplated.

Mr. GROSS. But they do not favor the creation of a brandnew independent agency of Government.

Mr. ASPINALL. There is one agency that does.

Mr. GROSS. One agency.

Mr. ASPINALL. And that is the Department of the Interior under which the work would be done.

Mr. GROSS. Now I would like to address a question, if I may, to the chairman of the committee that I addressed to the gentleman from Colorado awhile ago. How much money is presently being spent on research and development in the coal industry?

Mr. ASPINALL. About $17 million annually.

Mr. GROSS. $17 million?

Mr. ASPINALL. As compared with about $150 million by one of its competitors.

Mr. GROSS. This would provide, then, another $2 million in perpetuity, apparently.

Mr. ASPINALL. No; the gentleman is mistaken on that. We do not know what the cost will be after the first year, but as far as expenditures are concerned at the present time, there is not a great amount of money being expended, because the Department of Interior does not receive large sums for such purpose. The $17 million is what the industry spends annually for such project.

Mr. GROSS. There is no limitation contained in this bill, as I understand it.

Mr. ASPINALL. The only limitation on this bill is that the Congress, in its wisdom, can, through its Committee on Appropriations, look over the justification that has been made and make its determination as to whether or not the program is too large and whether or not it is working effectively and efficiently.

Mr. GROSS. But dollarwise you provide $2 million for the next year?

Mr. ASPINALL. The gentleman is correct.

Mr. GROSS. But you do not provide any limitation in this bill.

Mr. ASPINALL. Please, wait until I finish my sentence, in order that I may answer in full.

Mr. GROSS. Go right ahead.

Mr. ASPINALL. We provide $2 million, because all of the evidence that was brought before us led us to believe that that would be a modest sum to get the program under way; that they would not blow up the program and make it a larger program than was necessary, and yet they would be able to determine upon a program that would be effective.

Mr. GROSS. The gentleman has not answered the question as to the limitation. There is no limitation in this bill as to the life of this Commission, is there?

Mr. ASPINALL. No. During the consideration of the rule, the gentleman was advised by the chairman of the Committee on Interior and Insular Affairs that he would propose an amendment which would limit it to 5 years and that he would fight for it.

Mr. GROSS. A limitation of 5 years?

Mr. ASPINALL. Yes.

Mr. GROSS. That is, the gentleman from Colorado will propose an amendment?

Mr. ASPINALL. The gentleman from Colorado, representing the Fourth Congressional District.

Mr. GROSS. Now I would like to ask the gentleman the meaning of this provision on page 6, beginning on line 16:

> The Commission is authorized to acquire by condemnation, purchase, lease, or otherwise such real property as may be necessary to enable it to carry out its duties under this Act.

What is contemplated here?

Mr. ASPINALL. It is the usual provision when you create a commission and you wish to make it so that it will be effective. This is not an example of a trespass upon the usual and regular procedure.

Mr. GROSS. In other words, this could be a foot in the door to the construction of an office building to house this Commission and its high-priced staff.

Mr. ASPINALL. I am sure that the Committee on Appropriations will take care of that and advise us.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, we in Pennsylvania know that coal is one of our vital and basic necessities in this country. It is a vital and basic necessity for our U.S. security that we have a successful coal industry. It is not only a material problem; it is a human problem. I believe everybody in the country knows about the depressed areas around these coal fields throughout the whole Nation. These areas have been badly and chronically depressed.

Mr. Chairman, this is not a subsidy bill. This is a bill to give these coal operators and employees a chance to have basic and applied research in order to obtain new uses for coal; yes, and to have better and more efficient uses of coal.

I believe in trying to help an industry to help itself. As for the remarks of the gentleman from Iowa [Mr. GROSS] I think we must be fair in our approach. I would point out the gentleman from Iowa [Mr. GROSS] voted for the Hoeven amendment for Federal aid to the tobacco growers on June 10 last. Likewise, the gentleman from Iowa [Mr. GROSS] voted for the passage of the bill to give subsidies to the tobacco people, when there was a whopping vote of 254 for, with 149 against.

That means that we must be fair among ourselves. We must not infer that there are going to be exorbitant salaries and waste, when there is no such evidence on the record. If anyone has read the hearings he will find that they make out a very good case for this Coal Research Commission. The bill itself came out of the committee unanimously, all members endorsing the proposed legislation. The subject has been given careful research and study.

As a member of the House Committee on Science and Astronautics I firmly believe research is essential to the continued security of this Nation. It is likewise important to the ability of our Nation's most available fuel source to supply our Nation's energy needs in times of uneasy peace or all out emergency.

I rise in support of H.R. 6596, a bill to establish a Coal Research and Development Commission as an independent agency of Federal Government. It is my conviction, that only through government support of research efforts in the coal mining industry will we be able to provide the necessary flexibility in that segment of our economy which will enable it to have the economic advantages which will permit planning on such scale as to care for any security threat and to supply the growing and vital power needs of our country.

Monday morning, June 8, the Small Business Administration issued a statement on the importance of research in small business operation. The SBA brochure, "Research Relations Between Engineering Educational Institutions and Industrial Organizations" reports that recent figures compiled by National Research Foundation indicates that in the 1957–58 period nation-wide expenditures for research will approach $10 billion. This is compared to a figure of $345 to $500 million in 1940 and $5.3 billion in 1953–54. The report continues to say that if research were considered as an industry today it would rank with the chemical, electrical equipment and petroleum industries.

One of the more significant statements in the SBA publication has this to say:

> The research function is a comparatively recent addition to our economic order. It influences the competitive strength of industrial organization, is an important factor in the instructional program of higher education, and is also an important factor in maintaining our Nation's security.

I emphasize two of the points made herein, namely reference to the influencing of competitive strength and maintaining our Nation's security. In these two respects, a Coal Research and Development act definitely qualifies. The economic condition of the coal industry makes necessary some substantive effort to improve its position if when we need accelerated coal production, as we have in three previous military conflicts, it is readily available. Unless there is provision to make the coal industry something volatile and flexible, it will not be able to accomplish its emergency responsibilities.

In one other respect the Small Business Administration pamphlet makes an important observation. It indicates that "strengthening existing liaison between academic and commercial groups in this field," is one of the aims of the SBA effort. Such is the intention of the legislation before us today. H.R. 6596 would establish a Commission, which would coordinate such activities and encourage greater participation on the part of educational institutions, as well

as commercial groups. It would fulfill a long felt need and would serve a most useful purpose.

In emphasizing the immediate need for a coal resource program, I can best underline its importance by quoting the warning contained in the SBA booklet previously referred to. The book says:

An essential element in today's economy is technological progress, and manufacturers—both large and small—who fail to recognize this fact are headed for trouble.

The coal industry is imminently aware of this threat. They have, through National Coal Association, adopted a policy on research, which policy was approved unanimously by its board of directors, and reads as follows:

Scientific research has made an immeasurable contribution to the economic growth which has made the United States preeminent among the nations of the world. Research should be broadened and intensified to assure further expansion of the Nation's economy and the maintenance of the U.S. leadership. Private industry should continue to play a substantial role in research and make every feasible contribution to the Nation's continued progress. The ultimate in research is beyond the economic capability of some segments of the economy. In furtherance of the national interest and the public welfare, it is incumbent upon the Federal Government to encourage and participate actively in appropriate research in the field of energy resources. An independent Federal agency composed of representatives of industry and Government should be established to aid in developing, coordinating, supervising, and financing an appropriate research program for the extraction, utilization, and consumption of bituminous coal. The program should rely upon existing research facilities to the greatest feasible extent, giving impetus and direction to present research efforts.

I want to quote the statements of two outstanding leaders in the coal industry, in both management and labor.

John L. Lewis, president, United Mine Workers of America:

Coal is America's most valuable resource. Coal will continue to be one of our most economical sources of energy for generations to come. The United Mine Workers will continue to encourage efficient production to the end that the coal industry will remain our strongest bulwark in the struggle of the free world against tyranny.

L. C. Campbell, of Pittsburgh, Pa., former president of National Coal Association, and prominent executive and consultant:

We face the future with a stout heart and conviction that better days for coal are ahead, and that the American coal industry will continue to maintain its world leadership in the output of a primary natural resource as vital to modern civilization as air and water.

I want to quote outstanding legislative leaders on the importance of coal to our U.S. economy, and the need of research and development programs for coal.

Edward Martin, former Senator, Pennsylvania:

Coal lies at the core of our basic national defense program. Coal will always be, in peace or war, the solid fuel on which we place reliance. We need a national fuels policy. The coal industry must be maintained at a proper economic level.

JOHN SHERMAN COOPER, Senator, Kentucky:

The coal industry's contribution to the industrial development and national defense is recognized by every American. We must maintain the usefulness of this great natural resource in the expanding economy of our Nation.

Hon. Alben W. Barkley, late Senator, Kentucky:

We should formulate a constructive fuel policy coordinating coal, oil, and gas natural resources in such a way as to protect and preserve them. In two wars we have relied upon coal for the production of war materials.

EVERETT MCKINLEY DIRKSEN, Senator, Illinois:

Coal as a resource has been too long neglected. What is needed is a continuing research program, development of new uses, an intensive effort to break coal down into component parts for more diffused use in our economy.

PAUL H. DOUGLAS, Senator, Illinois:

One of the most important sources of our great strength is our tremendous supply of coal. We need a constructive fuels policy that will permit coal to make its maximum contribution to the national welfare.

HARRY F. BYRD, Senator, Virginia:

Coal is essential in steel production; generates the major portion of our power, and growing chemical industries use progressively more. These industries will continue to draw upon our vast reserves of this economically mineable mineral.

HOMER E. CAPEHART, Senator, Indiana:

The coal mining industry is one of the basics of our Indiana economy and of the economy of the entire Nation. We believe in coal and hope for it a healthy growth in the years to come.

WILLIAM H. NATCHER, Congressman, Second District, Kentucky:

As markets expand, so will demand for shipments of coal into the South, keeping in force an industry which is a necessity in national emergency. Our coal reserves are one of our greatest resources, and should be protected and utilized to the utmost.

MELVIN PRICE, Congressman, 24th District, Illinois:

Coal has been, is now, and shall continue to be essential to our economy. It is the backbone of industry. Its importance to Illinois and the Nation cannot be overestimated. When coal is most abundant, industry is the healthiest and most progressive.

IVOR D. FENTON, Congressman, 12th District, Pennsylvania:

Coal, both anthracite and bituminous, is of invaluable importance to our welfare and defense. It is dangerous to assume that when coal is needed it will be available. We must act quickly to insure continued availability of our great coal reserves.

THOMAS E. MORGAN, Congressman, 26th District, Pennsylvania:

Coal is still among our most important minerals. It has been of great value to my State and to the Nation. Coal is necessary to maintain our industries and our national defense and the coal industry can look forward to a brighter future.

JOHN SPARKMAN, Senator, Alabama:

Over the centuries coal has made possible civilized man's progress. Without coal, civilization as we know it could not endure. Coal's usefulness in the future is unlimited. For the welfare of the Nation, its potential should be fully developed.

ESTES KEFAUVER, Senator, Tennessee:

We have always recognized the part coal has played in the welfare of our State. Yet of this, I am sure, its increasing usefulness in the home and industry will write for it an even more glorious future.

ALBERT GORE, Senator, Tennessee:

There is every reason for confidence in the future of coal. We should look ahead toward expansion of the industry through new uses, and by capturing new markets. Prosperity of coal is vital to our Nation.

Mr. ASPINALL. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. DENTON].

Mr. DENTON. Mr. Chairman, I rise in support of H.R. 6596, the bill to encourage and stimulate the production and conservation of coal in this country through research and development and by creating a Coal Research and Development Commission, and for other purposes.

At the present time there is great unemployment in the Nation's coalfields. Perhaps no other industry has been so hard hit. Despite the fact that coal is our country's greatest remaining natural mineral resource, we have seen a great decline in its use in the past 10 years. A decade ago, more than 500,000 coal miners were employed by the industry; today, we have approximately 225,000. Last year we only mined 410 million tons of bituminous coal, in contrast to the more than 500 million tons of coal produced 10 years ago.

Not only does the situation in the coal industry weaken our national economy, but it also endangers the security of our country. Should there ever be an outbreak of war, this Nation would be forced to rely on coal as its principal fuel. For that reason alone, it is essential that the Federal Government see that our Nation's coal industry is able to supply the great quantities of coal which would be needed for national defense.

The bill which is under consideration today would be beneficial to the entire Nation, and not just to the coal-producing areas alone. By setting up a research program into better and more economical ways of producing and using coal, this bill will provide for lower coal costs, newer uses, and other developments that will improve the economic position of the industry at large and also benefit consumers of coal, coal mine workers, distressed coal mining communities, and the general public.

Creation of this coal research and development program for coal will also aid our national security by insuring that our coal industry will be able to meet the demands on it in future years, and by finding ways to better utilize coal; thereby conserving this natural resource.

The Coal Research and Development Commission provided for in this bill will conduct, sponsor, cosponsor, and encourage coal research, and will cooperate fully with all other research agencies, both governmental and nongovernmental, in order ot prevent duplication of research. At the present time, there is very little coal research being conducted.

The Bureau of Mines is doing some research, but it is mostly of a long-range nature, whereas what is needed is research directed toward assisting the coal industry with its immediate or short-range research and development problems. The coal industry has done the best it can with limited means, but has been able to spend only around $17 million annually on research. By way of comparison, research expenditures by the petroleum industry in 1953 were $145.9 million; textile industries, $280 million; rubber products, $53.6 million; and chemical industry, $361.1 million.

I urge enactment of H.R. 6596, as a measure that would help the coal industry, and industries dependent on it, the consuming public, and our national security.

Mr. ASPINALL. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER. Mr. Chairman, we have enough reserves of coal in this country to form a path from New York to California a mile wide and as high as the Washington Monument. It is of prime concern to the national economy that we use this great natural resource most effectively.

How big is this reserve? About 1,900 billion tons, half of which, over 900 billion tons, is recoverable. My own home State of West Virginia alone has 52 billion tons of coal reserve.

I believe it would be wasteful if we were not to take advantage of these vast resources by undertaking research in new uses for coal. The technological revolution in this country has reduced the demands of railroads for coal, and new machinery has displaced many miners. So it would be wasteful both from the standpoint of utilizing coal as fuel, and from the standpoint of the unemployed coal miners not to look for new ways to benefit from this great God-given resource.

How would we benefit from the establishment of a Coal Research and Development Commission? It would study new uses for coal, and improve and expand existing uses. I believe that there are vast new research frontiers which can be opened up in the uses of coal. Coal tar already is used in such diverse products as DDT, sulfa drugs, photographic developers, weed killers, refrigerants and detergents—to mention only a few.

I would like to talk a little about the argument over whether this Commission should be independent or under the Bureau of Mines. We already have Government-sponsored research programs in independent agencies such as the National Science Foundation, National Aeronautics and Space Administration, and the Atomic Energy Commission. Then, too, if you put such a research agency under the Department of the Interior you may have some reluctance on the part of private industry to turn over information which will fall into the hands of competitors.

I would suspect that this program will extend throughout several different departments to cover areas of marketing and distribution, transportation, etc., which would mean that the coordination job would actually be easier if within the same independent agency.

The real issue is how the job can best be done. This is a challenging job. When I went to college, some of the professors used to say that Franklin D. Roosevelt was a great President in the ideas he advocated, but he was a poor administrator because he created so many independent boards and commissions which were fighting with each other. I have since concluded, however, that F.D.R. was a brilliant administrator, because, by creating these independent agencies, he gave energy and initiative to a number of different new agencies, and they all did their job in a dynamic, enthusiastic fashion.

Now today we have the modern example of the General Services Administration, a well-coordinated agency on the chart—but I ask my fellow Members if they ever tried to get an answer out of GSA, and have they ever been able to get an answer in anything short of 2 weeks?

So I say, coal research is too important a subject to be buried beneath several layers of Government bureaucrats.

If we want to get the job done, let's give it the independent status where it will be able to do an effective and energetic job.

I urge the adoption of this bill. The expenditure of $2 million is only a modest sum which will prove to be an investment which will yield rich returns to the entire Nation in the future.

Mr. ASPINALL. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. First of all, Mr. Chairman, thank you for giving me an opportunity to say a few words relative to this very important subject to the rest of your colleagues and mine, who are patient enough to listen to me.

First of all, I do not intend to give the Congress any set of statistics, because, I believe, that has been, or will be covered by those who come prepared with that particular phase of this subject.

I want to talk a little about the logic, the need, the reason and the demand for this kind of legislation.

I am not here to speak for my particular bill, and although I have introduced a bill of my own, I added another subject to the bill which made it germane to the rightful propriety of the Ways and Means Committee to take jurisdiction over the bill. I had tried to answer the objection about financing this Commission. And that bill, of course, will have to be dealt with first on the basis of its financial aspect; and then, if it gets consideration from the committee it would probably be referred to this Congress.

However, the thing I want to talk about is an industry that has, through the years, kept abreast of the technical advancement in the production of coal as a fuel.

The discussion here is one that should lead the field insofar as using coal as a fuel. I think it goes into the field of byproducts and the field of other uses that can be found for this very valuable, and in a sense limited mineral.

The gasification of coal is not new. I was a little lad working at the age of 7 as a carrying-in boy in the State of Pennsylvania, before they had child labor laws, in a glass factory that used gasified coal to heat its pots and fire the glory holes in which they made and tempered their gas.

So, the question of gasification of coal is not exactly the whole problem.

But we do know that coal as a mineral has so many important component parts that could be developed with proper research directed solely into the field of studying the technical parts and points of coal itself. And that, of course, is one of the main reasons that most of the proponents of this legislation deem it wise to have an independent organization do the study.

As I said, this industry does not come under Government subsidization and yet it has to fight subsidization in other countries when it comes to selling our coal as an export item.

We all know that Canada has the subvention of coal and right now they pay $5 a ton, which in many instances, is more than we get for coal at the tipple.

Recently, although the coal industry in this country has, as I have said, kept abreast of all of the technical advancements in the methods of mining, in their relationship with their labor, they have been able to compete with any other coal-producing area in the world, and because of this and a demand for coal in Europe we were very successful in getting quite a share of the export total that this country does.

However, just as soon as any country finds it is in a position where the importation of our coal becomes injurious to them on a basis of labor needs—and no other justification has yet been offered for the action taken by Germany and the Coal and Steel Community countries—they impose tariffs.

The imposition of a $4.79 a ton tariff was a terrible blow to the industry in this country because they had been led to believe, over the years by all the arguments that if we could keep our prices within a range competitively on any product that we make in America, or produce in America, that the world markets would be open to us.

And so here is an industry that tried to do that, it tried to keep its price within the level that no other country could produce at. And yet the very countries who are supposed to be giving us their business because of a Reciprocal Trade Agreement and a share and share alike in the world market pool for our requirements are the first ones to deliberately create a barrier that we cannot overcome.

The Coal and Steel Community has already announced its intention to subsidize coal in all of the coal-producing countries within the Community itself to the extent that they will be able to ship and sell coal to themselves and to markets that we now have at a price competitive with what we are selling our coal in those markets.

So when we get to that particular stage of it, we find we are going to have a lessening of coal activity, so the need for research becomes even more, and more important to those of us who repre-

sent areas in which coal has been the backbone of our economy.

Now, we find that there are other angles to this demand and make a demand upon the Government to act wisely in this situation and create this Commission, because as we move along we find that communities that have been depleted of their coal, or of their economically obtained coal, and have moved into other fields of endeavor, and the communities have made sacrifices to create within their communities areas that they could set aside for small industries to come in and take up the slack that was created when coal moved out, or its production was stopped or curtailed.

And we find that these communities now are being crippled by the very thing that cripples coal, in essence the so-called freedom of trade.

As proof of that I have in my hands two bills introduced by so many Senators it takes a full page to cover the listing of the sponsors of the act, and they recognize within their free America, and in the language of the act itself that communities all over this country are going to have to be subsidized when they lose their means of earning a livelihood because of the injury done to them by some phase of our trade act, which means that our coal communities that have tried to pull themselves up by their bootstraps, in a sense, are now finding themselves back where they were 15 years ago and 20 years ago.

It is not a very pleasant thing, Mr. Chairman and Members, to be born into a small community that, in a sense, was prosperous for many years and then, as coal moved out, we felt the pinch of hunger and need and practically starvation in the necessities of life itself, living under conditions that we do not tolerate, or want to tolerate, in this country of ours today.

And then by self-sacrifice of the individual and the community have been able to create some other means of earning a livelihood and all of a sudden that is taken from us, and again we look longingly at the long silent shaft sitting on the hillside with a hope that something will come about, because that is one of the basic things we have there.

If we can find uses for it, if we can find means of putting it back into production, many of these communities will be reactivated and live again.

I come from such a ghost town. I have visited it every now and then and assuredly there is not anything that I as a visitor could do, that I would not do to help to bring back, to breathe life into these dead communities and to the people that live in these communities.

I want to say to you that right now we have in Pennsylvania many communities where the people in them are living on a substandard basis. It is not tolerant with the kind of government that we talk about and that we praise ourselves for having.

I want to say to all of you now that if this industry that has kept abreast of the needs of the industry itself, if it falters along the way because of the action of Congress, then is it not Congress prime duty and bounden duty to do something to revive the industry as such and the people that depend upon it?

I think that this legislation is so important that the question of where the final authority rests can be a secondary consideration. Although I was very much surprised to hear the Director say, when questioned by the chairman what would be the activities of his particular bureau if we created an independent commission, and he said—if I am wrong I want to be corrected—that they would continue and increase their activities.

If we have to pass an act to goad them into increasing their activities, let us pass it if for only that reason. If we do not get anything else, let us pass an independent commission act and maybe they will step into the picture and do a little more work for us.

I think the situation is one that has such a bearing on our total economy that we cannot any longer overlook the need and I call upon you, as reasonable men and women, to proceed with all haste to at least have this legislation before the Congress of the United States in order that we may, if we have sufficient support, pass it.

And then if the President in his wisdom decides his action to be contrary to the wishes of Congress, that we will have sufficient time left upon the calendar to decide whether or not Congress feels it is important enough a subject to gain a vote that would override any threatened veto.

I am very serious in this. I think that although I am no longer working in the coal mines—I would not want to work in them under the conditions today—but something that may interest you. I said I would not give you any figures, but I think these are very important figures. The latest mine that has been opened by the Pittston Co. produces 42 tons of coal per man per day, against a national average of 11 tons of coal per man per day in America, as against a European average of 1½ tons of coal per man per day.

Now, how can anybody say that this industry is coming to us with unclean hands? It is coming to us with an appeal based upon the fact that they have spent their resources, that they have developed themselves into a competitive industry with the right to live. And I think that we just cannot shove it aside by saying if one section or segment of our economy is injured that maybe it is bearable to the whole economy and, therefore, this particular segment can die.

I do not believe that the Constitution allows me, as a Member of Congress, to decide which workingman shall lose his job in order that I can make another workingman work or prosper, or which industry can be denied its right to earn a living so that I can help another industry earn a better living.

I do not believe that that is my prerogative under the Constitution, or any other Member of Congress has that prerogative to select who shall starve and who shall be well fed in a country whose Constitution is supposed to cloak all of us with the same rights and same prerogatives under its broad coverage.

So I leave you with the belief that this Congress will not alone take into account the maze of figures that will be handed to you in the determination as to what to do with this legislation, but will take into consideration the plain logic that is irrefutable by men of good will.

Thank you kindly for the time.

Mr. ASPINALL. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, I support H.R. 6596, a bill to establish a Coal Research and Development Commission, as an independent agency of Federal Government. I am convinced that such a Commission would be able to provide a well-planned and efficiently administered program of coal research that would prove highly advantageous to the coal industry, to the railroads of our country, and to the consumer.

I am vitally interested in the welfare of the coal and railroad industries. They are both fundamental to the development of my State of Pennsylvania and of the Nation as a whole. They continue to represent an important segment of our economy.

Since the institution of coal mining, more than 8 billion tons of this essential mineral have been removed from the mines of Pennsylvania. Our reserves of coal, according to the estimates of the U.S. Geological Survey, are sufficient for many generations to come. The remaining recoverable reserves of coal in Pennsylvania are listed at 35 billion tons or 4½ times the amount of coal removed from our mines in the last two centuries. From this, you can understand how important to our economy is the welfare of the coal industry.

Production in the mines of our Nation has increased unbelievably over the past years, and through this progress in mechanization of the industry the consumer has benefited, in that the price of coal at the mine is today the same as it was some 10 years ago. If the mining industry and the public are to continue to benefit from such advancement in production methods, we must look to research developments in order to keep stride with the accomplishments to date. I am sure that even greater technical accomplishments are within reach if scientific and research attention is applied to mining problems. On the human side of the ledger, while cooperative efforts of management and mineworkers have produced gains in mine safety, I feel that a dedicated program of research would contribute much to an even further reduction in the number of lives lost in mine accidents.

The railroad industry, too, is important to Pennsylvania. It is the hub of product distribution between New York and Chicago and the Great Lakes and the South. Railroad officials and brotherhood representatives are in support of the coal research program, because they feel that it will result in heavier freight traffic for the rails and ultimately enable them to improve on their service to the public.

From the consumer's viewpoint, the benefits to be derived from expanded research in coal are immeasurable.

The advocacy for a coal research program is not a new one. In February 1955, a Presidentially appointed Commission on Energy Supplies and Resources policy reported as follows on the subject of research:

> We recognize that coal is a great national asset and endorse a cooperative study to determine what research and development could be undertaken.

The conditions in the coal industry in 1954, which generated a national study into the coal problems, are being repeated today. Coal production last year was 405 million tons, only a few tons greater than the production in 1954, when it was 391-plus million tons. If the coal industry is to meet the demands which will be made up on it in times of future emergencies, then the production level must be raised and maintained at not less than 500 million tons annually.

I cannot emphasize too strongly the importance of research in accomplishing a goal of maintaining a vigorous and effective coal mining industry in the interests of our national welfare and security. In two major World Wars and during the lesser Korean conflict, it was the coal industry that was called upon to accelerate its productive machinery almost overnight. And accelerate they did. If we are to make the same demands in the future, then we must look to the welfare of this industry today.

The purpose of H.R. 6596, as outlined in the committee's Report No. 370, which was filed with the House on May 20, 1959, is to develop new and more effective uses for coal, to improve and expand existing uses for coal, and to reduce the cost of coal production and distribution. The legislation would establish a Commission of three members that would contract for, sponsor, cosponsor, and promote the coordination of research projects and collect and promote the cordination of all available research information. The legislation also provides that—

> Cooperation to the fullest extent possible with all other research agencies, governmental and nongovernmental, is directed, duplication of research by the Commission is prohibited, and consultation on proposed projects is required.

For the benefit of those of my colleagues who are interested in helping distressed areas, I would call attention to one section of the report of the House Committee on Interior and Insular Affairs, recommending enactment of H.R. 6596, which reads as follows:

> The committee considers it desirable that a priority in locating of research projects and in the award of research contracts, other things being equal, be granted to localities or areas which are most severely depressed because of shutdown and unemployment in the coal-mining industry.

In summary, I urge support of H.R. 6596 as a proposal that means much to the coal industry, to the railroad industry, to the consuming public, but most of all to our national welfare and security.

Mr. SAYLOR. Mr. Chairman, I ask unanimous consent that the gentleman from Tennessee [Mr. BAKER] may extend his remarks at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BAKER. Mr. Chairman, there are thousands of unemployed coal miners and many unemployed coal operators in the district which I represent. This bill will be helpful. I favor its enactment.

Mr. SAYLOR. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, first of all, I would like to thank all of those Members who do not come from coal-producing areas for their remarks here today in support of the Commission which we are talking about creating. I have heard several Members say that they do not come from coal-producing areas and they are going to support the bill. I think that is as it should be in America. Personally, I have voted in the last few days for many things that do not affect my district and things that, perhaps, some of the people in my district may be opposed to, but which I believe to be in the best interests of America. But, I did so because I think the overall program is in the best interests of the country. Yesterday, I voted for the tobacco bill because I believe it to be in the best interests of a great number of people in our country. Today the people from the coal-producing areas of the country are coming before the Congress asking for your consideration to try to help solve a problem that they have to create an agency which will deal with this problem and try to get at the source of the ills of the industry and to correct those ills.

I would like to ask our Chairman a question. In my district in Morgantown, W. Va., the Bureau of Mines at Appalachian Experimental Station is installing a giant turbine for research dealing with coal. There are 12 years of study back of this turbine and over $5,500,000 have been spent in this research. This gas turbine itself cost over $1 million, and is capable of developing 4,200 horsepower. As a result of the research, a great deal of progress has been made. The Union Pacific Railroad has announced that it will build a coal-fired gas turbine locomotive, in view of the success which has already been proved in tests of the turbine. I would like to know if it is not the intention of the committee that the Commission will take into consideration all of these research programs which have already started and cooperate with them and lend their support to these other independent research programs with reference to coal.

Mr. ASPINALL. My colleague is correct in his understanding of the legislation and the chairman would go further and state that there are direct prohibitions against duplicatory efforts in order to keep down the expenses as much as possible. On the other hand, wherever any Federal money is spent either by contract or in research work carried on by the Commission itself whatever is learned from that work and those experiments will be the property of the public.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to my colleague, the gentleman from Virginia.

Mr. JENNINGS. The gentleman would also include in his statement with reference to the facilities that are now in existence those facilities which exist in our various institutions such as the land grant colleges and engineering colleges throughout the various States, would he not?

Mr. STAGGERS. Yes; I would think that they should all be included.

Mr. ASPINALL. Yes; they would all be treated the same.

Mr. STAGGERS. May I urge that the Coal Research and Development Commission be instructed to work with the Bureau of Mines in experimental stations at Morgantown, W. Va., and elsewhere, in stimulating the production and conservation of coal.

Mr. Chairman, I ask unanimous consent that the gentleman from West Virginia [Mr. SLACK] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. SLACK. Mr. Chairman, I rise in support of H.R. 6596 and to express my sincere belief that no single domestic program to be considered by this House is more deserving of our approval than this proposal to establish a Coal Research and Development Commission.

The establishment of such a Commission is not a new proposal. It has been discussed by several previous Congresses. A special Subcommittee on Coal Research of the House Committee on Interior and Insular Affairs of the 85th Congress inquired into the matter and published an excellent report. Anyone who has read this report cannot help but be impressed with the tremendous importance of coal to our national economy—its widespread location, broad range of uses, huge recoverable reserves, and the fact that it is located here on this continent and cannot be denied to us under any conditions.

The report states that the national coal reserves, on a heat-unit basis, are 12 times greater than our petroleum and natural gas reserves combined. The coal industry, in addition, has an impressive record of operations, reflecting ever-increasing efficiency in mining, greater safety quotients in what is certainly a hazardous occupation, courage and vision in planning and experimenting with methods and machines, and a willingness to stand erect in the face of challenges without reliance upon Government assistance.

We have spent millions of dollars to foster experiments with fissionable materials, and I fear some of us have been misled into believing that overnight we would develop a cheap source of electric power. The fact is that an atomic powerplant now in operation generates electricity at a cost eight times that of coal-fired powerplants. We are today spending more millions of dollars to develop the scarce and costly exotic fuels, because we are told they must be made

available to power our probes into outer space. But we have never made a major effort to unlock all of the secrets contained in coal, our No. 1 natural resource.

It is simply a matter of good business to establish a Coal Research and Development Commission. A good businessman exploits his most promising product to the maximum extent possible. A successful professional man concentrates his time and energy on the development of his best talent. We as a nation cannot afford to ignore further the vast unknown quantities of power and performance contained in coal.

For too many years we have paid too little attention to the greatest single source of energy in our national storehouse. We have all known that the supply of coal within our continental limits is almost inexhaustible, so we have accepted the bounty of nature without even the smallest sign of gratitude. Millions of people in foreign lands lack adequate coal reserves, which means they lack adequate steampower and electricity. This is the major factor which condemns them to a low standard of living based on the use of handtools and medieval processes. Our American standard of living sets the pace for the world, and we have become what we are during the years since 1800 largely because we have been blessed with the unlimited energy springing from our coal reserves.

Coal and its byproducts touch the lives of all of us every day, and its very flexibility has proven a handicap to its full utilization. Yet, we must become fully aware of coal's potential strength and resourcefulness. We have a rapidly growing population, and we face a strong challenge to our world economic leadership. To maintain our standard of living in future years, it is stated on good authority that the utilities will increase their coal consumption from the present 153 million tons annually to 205 million tons in 1963. Efficiency of coal use by the utilities is recording progress. In 1920 three pounds of coal were needed to generate one kilowatt of electric power. Last year only 0.91 pound was required to do the same job, and greater improvements in use are in the offing.

The Coal Research and Development Commission will be a major tool in the shaping of our society for tomorrow and the years to come, and we must act now to place this tool in full operation in the public interest.

Mr. SAYLOR. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, when I was a youngster I lived in the midst of a coal-mining area. Fully half of the wage earners I knew earned their living by mining coal. I have not moved. I still live in Guernsey County, but much of the coal-mining industry has moved away from southeastern Ohio. More of the industry continues to move away from that section of Ohio year by year, first because of the removal of the coal that is most economical to mine but more particularly because the coal which remains—and it is a tremendous resource of coal—is a resource for which there is no ready market. Another large operation was closed not long ago, and others hang on by a slender thread.

Something needs to be done for the coal-mining industry in my district and all other districts throughout the length and breadth of this Nation to find new uses for coal, so that the sleeping, dormant, powerful, coal reserves can add dollars and jobs to our economy.

There are provisions in this bill of which I do not wholly approve; and yet I find within the four corners of the bill a ray of hope for the coal-mining industry. I will, therefore, lend my support and my vote to the bill in the belief that research in coal will lead toward a brighter future for the coal miner, for the coal companies, and for the coal areas of this Nation.

Mr. ASPINALL. Mr. Chairman, I yield 1 minute to the gentleman from Utah [Mr. KING].

Mr. KING of Utah. Mr. Chairman, the State of Utah boasts of many individuals who are conservation-minded, including our distinguished Governor, the Honorable George D. Clyde, but they acknowledge the fact that the name of the distinguished gentleman from Colorado [Mr. ASPINALL] heads the list of great men who have, within recent years, contributed, on the national level, to conservation in the West, and we pay tribute to him and express our thanks.

With regard to this bill, it has been said by opponents that we should not flog a dead horse; but may I remind my colleagues that the great coal industry is far from being a dead or dying horse. The great hope of this country, in those days to come, when many of the more glamorous fuels shall have been completely exhausted, will be coal. It is absolutely imperative that the coal industry be kept alive, healthy, flourishing, and prosperous. It is one of our greatest reserves of inexpensive fuels.

In my opinion, this bill will do much to strengthen this industry in which we all have such a great interest and which employs hundreds of thousands of men. I enthusiastically and heartily endorse this coal research and development bill.

Mr. ASPINALL. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. LIBONATI].

Mr. LIBONATI. Mr. Chairman, I thank you for the opportunity to discuss the need of this legislation in the State of Illinois.

The problem of coal in Illinois is primarily the result of an economic situation which dictated to the Illinois Assembly in 1943 to establish a coal commission. That coal commission expended close to $1 million in State moneys to endeavor to ascertain whether the coal industry as such could be saved in Illinois.

The consensus of opinion was that the coal operators themselves can do very little to facilitate or stimulate the use of coal and in many ways were not able to engage in research to promote a derivation of fuels from coal, such as the liquefaction of coal, because of the cost of such a program.

Of course, the assembly was primarily interested in the unfortunate situation in the 16 southern counties of Illinois wherein inferior coal—sulfurous coal—is found, an area where 65 percent of employables were on relief, which added, naturally, to a terrific toll upon the relief funds of the State.

As was noted, the average person in this community, in the environs of Cairo and Carbondale, and in those areas only earned, because of the seasonal nature of the output of coal, from $900 to $1,100 a year. So the ultimate result was, because of the lack of coal orders for its use, the mines were closed.

I was very interested in the provisions in your bill that establish a three-man coal commission to carry out a research program. As to the Bureau of Mines, it was my understanding that the Bureau of Mines' sole purpose in the beginning was to determine in their research, to produce fuels in case of an emergency where oil supplies and fuel supplies were cut off; and to bring about the chemical development of processes to recover oil from other substances, for example, at Rifle, Colo., oil is sweated out of crushed shale.

Of course, the cost of such experiments, as you realize, could not be considered as an ultimate item of importance because of the fact that they were primarily interested in the recovery of oil for national defense in necessitous circumstances when the supply of oil was cut off, thus creating a national emergency.

So they developed various processes, as, for instance, in Louisiana, Mo., where oil was recovered and processed costing 45 cents a gallon of gasoline. The Bureau of Mines seized upon the opportunity to help us in our program and did, which resulted in my trip to Rifle, Colo., where we borrowed from the Bureau $350,000 of machinery.

We erected a pilot plant, a 50-ton-a-day plant, for the liquefication of coal and desulfurization of coal. We were fortunate in having the Edison Co. join us in part of the program. They furnished us all the different coals necessary to carry out the tests in the research program.

They also put in a high line, at the cost of about $50,000, at their expense.

The plant was erected near Republic Steel Co., on land that had a very, very high water table, so as to save some $22,000 in estimates that the engineers determined would be necessary for the operation of the plant, built by Dr. Singh and Joseph Cronin, now deceased, well known to the Bureau.

They carried on the experiment for the period of 6 years. The result was that they succeeded in bringing about the liquefication of coal at low temperature, with a resultant of byproducts that could be used as primary fuels together with free sulfur amounting in a 5- to 7-percent sulfuric coal, to about 86 pounds per ton.

The recovery of kerosene was about 38 gallons per ton and light oils, 2½ gallons per ton. Also 1,200 pounds of smokeless coal, which the Republic Steel people afterward succeeded in developing into a good metallurgical coke presently used there.

In view of the fact that Pocahontas coal supply is exhausted, it had to be replaced by a similar type of coal for the making of coke so necessary to be used in the making of steel.

We also recovered 1,600 cubic feet of gas which tested at 750 British thermal units.

So it follows that research in this field can bring results through the recommendation and cooperation of the Bureau who knows other fuels can be developed from coal.

Really, the public is partly responsible for the unfortunate circumstances engulfing the coal industry in refusing to use coal as a fuel.

The opposition of the oil industry to this legislation would be a natural one. It is a competitive business and they do not feel that public moneys should be used for the development of any competitive process which will result in coal being used as a fuel in the same liquefication state as oil.

In the Illinois experiment we found that the overall profit per ton was $1.05 at the plant. We recovered oil at 5 cents a gallon at the plant; comparatively, the oil industry develops oil at the foot of a well at 11 cents because of the many different costs involved in the production of oil.

Of course, always we must realize that the Bureau of Mines should be consulted in all of these experiments for this reason: They can prevent duplication of effort and give expert advice and guidance.

There is a fundamental issue we are facing. First, you have the competitive nature of the oil companies and the gas companies, who feel you are invading their business field, by the improvement and acceptance of coal as a fuel similar to the use of their own product.

Secondly, you have the competitive nature of the States in the different types of coal—also the inferior coal. So that there must be a local problem to circumvent in order to raise the economy of a State or area by the perfection of a process which will bring about the stability of the economy of that area.

Thirdly, you have protected in this legislation the Bureau of Mines who have their own processes and their own programs, which must not be interfered with or result in a duplication of effort.

I point out to you that the miners of Illinois numbered 220,000 and now number scarcely more than 18,000. So you can understand the direct effect of the pressure of this problem as well as recovery of the business of the individual householder and the plants in their selection of the type of fuel that will satisfy their needs with the least effort and expense in handling, and in carrying off the residue.

Coal must be modernized, and we must help the coal operators accomplish this.

I visited the Pittsburgh Coal Co. plant where they expended $6 million in experimentation and research on coal.

You have made a very thorough study of this legislation and eliminated pitfalls which would strangle this legislation in the offing.

Only through Government control can you securely protect the public moneys you pour into these programs, because much money can be wasted, especially in the selection of processes that have been untried and have, probably in an engineering or theoretical sense, the answer.

So I say to you this is a very precarious undertaking, and only with the guarded influence of this government as initiated under H.R. 6596 can we help the States in remedying the misfortunes of an industry that of itself cannot answer the needs to place a salable product on the market which the public will buy.

So I tell you, your committee is to be admired for the intelligent way you have approached this subject and formulated the provisions incorporated in H.R. 6596 by amendment or otherwise in all of these bills. I am sure that the economy needs a solution of all phases of this problem. Their solution will bring about the stability of the economy in areas where they are most needed.

I want to thank you for giving us this opportunity, and I admire you for your courage in attacking this problem.

Mr. ASPINALL. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, I think that an observation of the Administrator of the Small Business Administration should be entered in the RECORD in connection with this bill when he stated that the economic depression currently afflicting the coal industry is "a small-business tragedy."

Now, just a word with respect to the Department of the Interior and its excellent accomplishment in certain areas of coal research. But this committee, the Subcommittee on Mines and Mining believes:

Such an undertaking would not be as effective if administered by the Department of the Interior.

May I say that I came from the Fourth Missouri District where there are only two or three little strip mines. But this bill is not for the Fourth Missouri District, it is not for Pennsylvania or West Virginia, or for Oklahoma, if you please, but for all of these United States in the matter of coal research and coal development, coal being one of the principal sources of energy. If we reach the explosion of population which we anticipate in the sixties, we may need every pound of energy of whatever form, whether it be coal, oil, or from whatever source.

Mr. MOORHEAD. Mr. Chairman, my city of Pittsburgh has often been called the Steel City and properly so. But before there was steel there was coal. The city is a great industrial giant built upon coal.

Thus, it is only natural that I rise in support of legislation establishing a Coal Research Commission.

All of my colleagues in this House, particularly those on the Banking and Currency Committee, have heard of the plight of the unemployed in the distressed coal areas.

This legislation could be supported strongly solely on grounds that it may someday offer new economic hope for these areas.

But it should be supported for far more positive reasons of concern to the entire world.

Coal, Mr. Chairman, is power.

Coal is also plastics, chemicals, and many other products.

As our economy expands and our population increases we will need to develop to the fullest all of our primary power sources.

The need for power will be so great that any competitive jealousy between coal, oil, gas, or atomic energy will become idle. There will be room for all.

A Coal Research Commission will give the Nation a great clearing house—a repository for the latest information on all phases of research on coal and its uses.

In helping to establish such a commission, we take a step which will someday mean more power, more chemicals, more plastics, and more of the things which will make a better life for all of us.

Such research is as important to the American consumer as it is to the miner and his industry.

I urge you to support this bill.

Mr. ELLIOTT. Mr. Chairman, as one of the sponsors of the Coal Research and Development Act, I am happy to join my friends who have spoken in behalf of it this afternoon by saying that the passage of this bill will constitute a long step in the direction of focusing attention upon one of our greatest natural resources. I refer to the billions of tons of unmined coal that lie beneath the surface of America.

This bill at the same time is aimed to stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission for this and other purposes.

My area of Alabama lies partially within the Warrior River Coal Basin, and the people I represent know from first hand the antagonistic effects of a coal industry in depression.

I do not say that the bill now before us will solve all our problems. It will make a start.

The coal industry needs what I would call immediate or short-range research and development, as contrasted to the long-range applied research now being done primarily by the U.S. Bureau of Mines. Both types of research are needed. What I call short-range research and development is of great immediate need and this bill in a practical way, though a very limited way, will encourage that type of research and development to get underway. The two types of research together, both the short-range and the long-range should have the effect of providing us with an answer to coal's problems.

I said in the beginning that coal is one of our greatest natural resources. It is abundant. We know that we have a supply that will last many hundreds of years. We know that research will undoubtedly develop new uses for that coal as the years unfold. This bill will help

protect and keep as one of the strong arms of America's economy—our great coal industry.

I look forward to the time when the research and development done under the auspices of this bill will stabilize the coal industry, and the employment of people who are dependent upon it.

Let us give the industry, both the coal operators and the coal miners, a chance under this bill to see what they can do.

I, for one, will favor a great expansion of the activities under this bill if it turns out in a short while that we have been too meager in this beginning toward what ought to be done.

As one of the original sponsors of the idea of this bill over the period of the 10 years which I have been in Congress, I urge its immediate passage.

The CHAIRMAN. All time having expired, the Clerk will read the bill for amendment.

The Clerk read as follows:

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Coal Research and Development Act".

DEFINITION

SEC. 2. As used in this Act the term "research" includes scientific, technical, and economic research and the practical application of that research.

COAL RESEARCH AND DEVELOPMENT COMMISSION

SEC. 3. (a) There is hereby created as an independent agency in the executive branch, a Coal Research and Development Commission (hereinafter referred to as the "Commission") to be composed of three Commissioners appointed by the President, by and with the advice and consent of the Senate. Not more than two of such Commissioners shall be members of the same political party. Two Commissioners shall constitute a quorum of the Commission. The President shall designate the Commissioner who shall serve as Chairman of the Commission.

(b) The term of office of each Commissioner shall be three years, except that (1) the terms of office of the Commissioners first taking office shall expire, as designated by the President at the time of appointment, one at the end of one year, one at the end of two years, and one at the end of three years, after the date of enactment of this Act; (2) any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; (3) upon the expiration of his term a Commissioner may continue to serve until his successor is appointed and has qualified.

(c) Any Commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office, and for no other cause.

(d) The Chairman of the Commission shall receive compensation at the rate of $20,500 per annum and the other Commissioners shall receive compensation at the rate of $20,000 per annum.

(e) The principal office of the Commission shall be in the District of Columbia, but the Commission may carry out its duties under this Act at any place.

(f) The Commissioners shall be selected by the President from among persons experienced in the management of industrial-type research activities.

FUNCTIONS AND DUTIES OF THE COMMISSION

SEC. 4. (a) The Commission shall formulate and execute an overall research program designed but not limited to (1) develop new and more effective uses for coal, (2) improve and expand existing uses for coal, (3) reduce the cost of coal production and distribution, and (4) emphasize those developments in uses for coal of particular value to small coal producers.

(b) In carrying out its duties under subsection (a) of this section the Commission shall—

(1) conduct research projects;

(2) contract for, sponsor, cosponsor, and promote the coordination of, research projects conducted by industrial associations, educational institutions, qualified nonprofit organizations, qualified private consulting firms, and by other departments, agencies, and independent establishments of the Federal Government; and

(3) collect and promote the coordination of all available research information on the production, preparation, distribution, and uses of coal, including, but not limited to, technical papers.

(c) The Commission shall itself conduct research projects only when it is unable on reasonable terms and conditions to contract or otherwise provide for such research to be conducted by any other qualified organization. No appropriation shall be made to carry out the purpose of this Act for any research project to be conducted by the Commission itself, if such research project has not been approved by resolutions adopted by the Committees on Interior and Insular Affairs of the Senate and House of Representatives, respectively. For the purpose of securing consideration of such approval the Commission shall submit to each such committee a prospectus on each such proposed research project containing, but not limited to, an analysis of, and justification for, such proposed project.

(d) No research shall be carried out, contracted for, sponsored, or cosponsored, or in any other way conducted under authority of this Act, unless all information, uses, products, processes, patents, and other developments, resulting from such research shall be available to the public generally. Whenever in the estimation of the Commission the purposes of this Act would be furthered through the use of patented processes or equipment, the Commission is authorized to enter into such agreements as it deems necessary for the acquisition or use of such patents on reasonable terms and conditions.

(e) The Commission shall, in carrying out its duties under this Act, cooperate to the fullest extent possible with all other departments, agencies, and independent establishments of the Federal Government and of State governments and with all other interested agencies, governmental and nongovernmental. The Commission shall not conduct any research under authority of this Act which duplicates research being conducted by any other department, agency, or independent establishment of the Federal Government or a State government. In order to avoid duplication of effort, the Commission shall, before initiating any research under authority of this Act, consult with such departments, agencies, or independent establishments of the Federal Government and of States governments and such other interested agencies as it deems advisable, and establish that such research is not already being conducted.

(f) The Commission is authorized to acquire by construction, purchase, lease, or otherwise such real property as may be necessary to enable it to carry out its duties under this Act.

ADVISORY COMMITTEES

SEC. 5. (a) The Commission shall create, with the advice of the Attorney General, the Federal Trade Commission, and the Small Business Administration, such advisory committees as the Commission deems necessary to assist it in carrying out its duties under this Act.

(b) The functions of advisory committees established under authority of this section shall be purely advisory.

(c) The members of each advisory committee established under authority of this section shall be selected so as to insure adequate geographic representation, and, in the case of an industrial advisory committee, the members shall be selected so as to insure that an adequate cross section of the industry is represented. No corporation, company, association, or other concern represented on an industrial advisory committee shall control, be controlled by, or be under common control with, any other corporation, company, association, or concern represented on such advisory committee.

(d) Each advisory committee established under authority of this section shall be subject to the following minimum standards:

(1) The agenda for each meeting of such advisory committee shall be formulated or approved by a Commissioner or his designee who shall be a full-time salaried employee of the Commission.

(2) The meetings of such advisory committee shall be at the call of, and under the chairmanship of, a Commissioner or his designee who shall be a full-time salaried employee of the Commission.

(3) Full and complete minutes of each meeting of such advisory committee shall be kept, which shall contain at a minimum, (A) the name of each person attending such meeting, and an identification of the interest he represents, (B) a copy of the agenda, (C) a comprehensive summary of the matters discussed in the meeting stating the viewpoints expressed and identifying the person expressing such viewpoints, (D) the conclusions reached by the advisory committee, together with any minority views, and (E) a record of all votes or polls taken during the meeting.

(e) Copies of the minutes of each advisory committee established under authority of this section, and copies of all reports made by any such committee shall be available upon request, to the public upon payment to the Commission by the person so requesting, of the cost of the United States of furnishing him such copies.

(f) Members of any advisory committee appointed from private life under authority of this section shall each receive $50 per diem when engaged in the actual performance of their duties as a member of such advisory committee. Such members shall also be entitled to travel expenses and per diem in lieu of substance at the rates authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for all persons employed intermittently as consultants or experts receiving compensation on a per diem basis.

EMPLOYEES

SEC. 6. (a) The Commission is authorized (1) to appoint, subject to civil service laws, such employees as may be necessary to assist the Commission to carry out its duties under this Act and (2) to fix the compensation of such employees in accordance with the Classification Act of 1949, as amended.

(b) The Commission is authorized to establish and fix the compensation for not more than ten scientific or professional positions in the Commission without regard to the Classification Act of 1949, as amended, each such position being established to carry out research and development projects conducted by the Commission itself which require the services of specially qualified scientific or professional personnel. The rates of compensation for positions established pursuant to this subsection shall not

be less than $12,500 per annum nor more than $19,000 per annum and shall be subject to the approval of the Civil Service Commission. Such positions shall be in the classified civil service of the United States, but appointment to such positions shall be made without competitive examination upon the approval of the proposed appointee's qualifications by the Civil Service Commission or such officers or agents as it may designate for this purpose.

(c) There is hereby established a position to be known as the "Research Director". The Research Director shall be appointed by the Commission, and shall receive salary not to exceed $19,000 per annum. The Research Director shall administer all research projects conducted by the Commission itself under authority of this Act.

REPORTS

SEC. 7. The Commission shall submit to Congress, on or before February 15 of each year, beginning with the year 1960, a comprehensive report concerning its activities, including information on all research and development projects conducted, sponsored, or cosponsored by the Commission during the preceding year. In addition, the Commission shall submit to Congress on or before August 15 of each such year an interim progress report on its activities.

APPROPRIATIONS

SEC. 8. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than $2,000,000 to be used to carry out the purposes of this Act for the fiscal year beginning July 1, 1959.

(b) There is hereby authorized to be appropriated for each fiscal year beginning after June 30, 1960, such sums as may be necessary to carry out the purposes of this Act.

(c) Such sums as may be appropriated to carry out this Act shall, unless otherwise provided in the appropriation act, remain available until expended.

Mr. ASPINALL (interrupting the reading of the bill). Mr. Chairman, I have no desire to shut off debate, but at this time I ask unanimous consent that the bill be considered as read and open to amendment at any point.

Mr. GROSS. Mr. Chairman, reserving the right to object, it is understood the gentleman does not intend to cut off time?

Mr. ASPINALL. The gentleman is correct.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: Page 2, line 24, and page 3, line 2, strike out all of subsection (c).

Page 3, lines 3 to 6, strike out all of subsection (d) and insert in lieu thereof the following:

"(c) Section 105 of the Federal Executive Pay Act of 1956 (70 Stat. 736) is amended by the addition of the following: '(32) Chairman, Coal Research and Development Commission' and section 106(a) is amended by the addition of the following to item 45: 'Coal Research and Development Commission (2).'"

Page 3, line 7, reletter subsection (e) to read "Subsection (d)."

Page 3, line 10, reletter subsection (f) to read "Subsection (e)."

Page 3, line 12, add the following new language:

"No commissioner shall, during his continuance in office, be engaged in any other business, and each Commissioner shall devote himself to the work of the Commission. No member of the Commission or person in its employ shall be financially interested, directly or indirectly, in any corporation, association, partnership, or other form of enterprise which is engaged in the mining, transportation, distribution, or industrial utilization of coal or in any industry competitive therewith."

Page 4, line 13, strike out the following two sentences: No appropriations shall be made to carry out the purpose of this act for any research project to be conducted by the Commission itself, if such research project has not been approved by resolutions adopted by the Committees on Interior and Insular Affairs of the Senate and House of Representatives, respectively. For the purpose of securing consideration of such approval the Commission shall submit to each such committee a prospectus on each such proposed research project containing, but not limited to, an analysis of, and justification for, such proposed project."

Page 6, lines 4 and 5, strike out the word "construction," and insert in lieu thereof the word "condemnation."

Page 9, line 23, following the word "submit" insert the words "to the President and."

The committee amendments were agreed to.

Mr. FENTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am happy to note that the Congress is finally acknowledging the necessity for increased research work on coal. That is not to say that the Bureau of Mines has not done a magnificent job in research and investigation, because they have.

In 1941, during my early days in this House, as one coming from a coal region, I took notice of the fact that four new research laboratories were being established by the Agriculture Department in the United States to find new uses for excess agricultural products. So I thought it no more than reasonable that the anthracite-coal industry, which never had a nickel advanced toward research from our Government, should be recognized in research and development. Accordingly, I introduced a bill establishing an anthracite research laboratory. The war came on, and the construction of the research laboratory was temporarily abandoned until after the war, when President Roosevelt very graciously consented to allow funds to build that laboratory. The laboratory is now in existence in my congressional district and has done a fine job. As I said, not one nickel had been expended by the Government on anthracite research. On the other hand, many millions of dollars were spent on bituminous coal. For that reason, the administration acceded to our plea for a program for the anthracite industry. As I say, I am glad to see that recognition is finally being given to the coal industry, whether it be bituminous or anthracite. However, I feel it is a mistake to establish another Commission, because I think that the Bureau of Mines and the Department of the Interior have done a fine job and have the personnel on hand. They have not stood still, and I remember when the Senator from West Virginia, Hon. JENNINGS RANDOLPH, pioneered and sponsored legislation for research to convert solid fuels to liquid fuels. That great job was done by the people in the Bureau of Mines. They did a fine job, and that research was successful.

Just this past month I have been elated over the fact that through our persistence in research over the years we now find that the anthracite region is going to come into its own. I hold in my hand a newspaper article which says that due to research on anthracite refuse that a $100 million project to aid up-State areas is about to be consummated. This was due mainly to the cooperation between industry and the Bureau of Mines in their efforts to find some new uses for coal; not only coal but in this instance the banks of waste that had been thrown out. Now they are going to be utilized.

I shall insert these and other newspaper and magazine articles along with these remarks when we get back in the House.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from Colorado.

Mr. ASPINALL. Of course, all the members of the committee join with the gentleman in praising the endeavor and work of the Bureau of Mines. On the other hand, the work of the Bureau of Mines is so often done on short-term programs where the final research work is turned over to some part of the industry, and those who are in trouble now, the smaller ones, get little if any advantage from it.

I here include pertinent material as follows:

[From the Philadelphia Inquirer, May 12, 1959]

ONE HUNDRED MILLION DOLLAR COMPANY TO AID UPSTATE AREA BY USING MINE WASTES

A powerful impetus to the industrial revival of Pennsylvania's anthracite region was provided yesterday by announcement of a proposed $100 million joint corporation effort to develop gases and chemicals from the area's huge reserve of coal mining wastes in the northeastern section of the State.

The Boards of Directors of the Philadelphia & Reading Corp. and the General Dynamics Corp. at their annual meetings in New York yesterday agreed to the formation of a new jointly owned corporation to be known as Dynamics Reading Chemicals, Inc., to handle the undertaking.

FINANCING EXPLAINED

The new company which will be initiated by contributions of equity capital by the two corporations will complete its own financing through the sale of debt and possibly other senior securities, it was explained by Howard Newman, president of the Philadelphia & Reading Corp.

Dynamics Reading Chemicals, Inc., when finally organized will be the only company in the United States producing chemicals from anthracite mining waste.

VARIETY OF PRODUCTS

According to Newman and Frank Page, Jr., chairman of General Dynamics, the new venture has been under consideration by both corporations for many months.

When the plant of the new company begins operations, they said, it will produce hydro-

gen, ammonia, ammonium nitrate, urea, and nitrogen solutions, methanol, calcium carbide, acetylene and vinyl chloride primarily for bulk sales to the chemical and allied industries.

The facilities of the Dynamics Reading Chemicals, Inc., will be located at Pottsville in an area amply supplied with anthracite mining waste that would furnish the basic needs of the enterprise.

Management and sales responsibility of the new company will be under Rex L. Nicholson, president of the Liquid Carbonic Division of General Dynamics. The plant will use the Lurgi process which was successfully employed for years in Germany in the petro-chemical area.

CONSTRUCTION PLANNED

Newman explained the $100 million by which the company will be capitalized would be used over the period of construction, the extent of which has not yet been determined.

The Philadelphia & Reading Corp., the outgrowth of the Philadelphia & Reading Coal & Iron Corp., has control of the mammoth banks of silt, a residue of anthericte mining operations. This reserve largely is the result of the State of Pennsylvania's program restricting the disposal of mine silt in the Commonwealth's rivers and streams.

Philadelphia & Reading Corp. has sold millions of its fine silt to steel companies during the last several years. The latter processed the anthracite fine silt with low grade ore through a powdering process for use in its blast furnaces.

PILOT EXPERIMENT

In 1955, under the direction of Newman the Philadelphia & Reading Corp. conducted an $80,000 pilot experimentation in gasification through the use of silt.

The gasification process was developed by Hydrocarbon Research, Inc., and opened a new vista for the steel and chemical industries as well as for the Philadelphia & Reading Corp.

Newman later was authorized to spend $500,000 for a semi-commercial plant to test the process. Yesterday's agreement between his company and General Dynamics is the result in major part of that testing experiments.

At the time the big-scale testing of the gasification process was approved by the company several years ago, an official of the company said "you can bet the company isn't sinking $500,000 into this project just for the fun of it." Observers at that time estimated that the final sales value of the silt banks at about $10 a ton. Two years ago it was selling for $6 a ton when processed for the steel industry.

Two years ago, it was estimated that Philadelphia and Reading had a reserve of 40 million tons of anthracite silt with a potential sales value of more than $80 million.

The P. & R., a diversified company which produces a variety of manufactured goods from coal to underwear, was reported by Newman in his earlier discussions of the possibility of the gasification project to be ready for development of another company.

POTTSVILLE LEADERS HAIL SILT PLANT PLAN

Agreement of Philadelphia & Reading Corp. and General Dynamics Corp. to organize a $100-million company to produce gas and chemicals by using anthracite fine silt in the Pottsville area and acclaimed last night by industrial, commercial and civic leaders in the area.

The jointly owned corporation, to be known as Dynamics Reading Chemicals, Inc., will erect its plant on the top of Broad Mountain at Morea near Mahoney City, where the St. Nicholas Breaker of Philadelphia & Reading Corp., is located.

When the plant is completed in about 2 years, its facilities are expected to give employment to about 1,400 men.

In the immediate area of the St. Nicholas Breaker on Broad Mountain there are mammoth silt hills which will be available to supply the new plant with all its needs for the next 20 or 30 years.

In the rest of the anthracite region in the northeastern part of the State there is a supply of fine silt that assures continued operation for at least 100 years.

Leaders in the Pottsville area development program envision an influx of new industries in the wake of the chemical plant.

Another pleasing aspect of the new plant development, they said, will be the eventual removal of unsightly coal banks that have marred the landscape in the Pottsville section.

Daniel A. Morris, an organizer of the Greater Pottsville Industrial Development Corp., was enthusiastic.

"It is marvelous to hear of the advancement of the plans of the new project," Morris said. "It will be sure to bring more avenues of employment for our people. There can be no doubt that other industries will follow in its wake just as they did in Bucks County when the Fairless Works was built by U.S. Steel."

"The utilization of coal byproducts in manufacturing processes," Gene MacDonald, managing secretary of the Pottsville Chamber of Commerce, said, "will revitalize our most imporant natural resource."

Edgar Herwig, past president of the Frackville Merchants Association, declared, "This may be the long sought break for the region."

[From the Philadelphia Inquirer, May 13, 1959]

NEW VITALITY IN NORTHEAST PENNSYLVANIA

When two outstanding business enterprises such as the Philadelphia & Reading Corp. and the General Dynamics Corp. plan joint expenditure of $100 million for a new venture, the public may be sure there is good prospect of a long and successful operation. It is no wonder, then, that the people of northeastern Pennsylvania are enthusiastic about the decision of these two corporations to build a plant in the Pottsville area which will utilize waste material from anthracite coal mines in the manufacture of chemicals.

There are several sound reasons to cheer this noteworthy development in the evolution of coal as a servant of man. Of prime importance are the jobs that will be created in a section of the State hard hit by unemployment. The new plant will employ approximately 1,400 men when it is built.

By coincidence, plans for the plant near Pottsville were announced the same day that the Federal Government issued figures showing record high employment in the Nation for April. Improvement of economic conditions in the Pottsville area will help Pennsylvania keep abreast of other States in recovering from the recession.

The 1,400 jobs in the chemical plant should be permanent. Existing supplies of anthracite silt in northeastern Pennsylvania are sufficient to keep the facility in operation 100 years or more.

An attractive sidelight to all this is the fact that removal of unsightly silt banks will enable communities in the anthracite region to embark upon long-range projects for beautification of the landscape.

It is especially significant that new jobs for the people of northeastern Pennsylvania are to be produced by private capital, not public subsidy. Investor dollars spent for research developed new chemical byproducts of coal; additional capital from private investors will build facilities needed to convert mine wastes into chemicals.

Free enterprise will do—at no cost to the taxpayers—a job of economic revitalization in the anthracite fields that should be far more effective than Government handouts.

[From the Sunbury Daily Item, May 13, 1959]

Use of waste materials has seldom held such possibilities as are envisaged in announced plans of the Philadelphia & Reading Coal and Iron Co. and General Dynamics Corp. to form a $100 million corporation to develop gases and chemicals from huge reserves of culm available in Northumberland, Schuylkill, Lackawanna, and Carbon Counties. The first move will be the erection of a large processing plant near the once busy St. Nicholas central breaker in Schuylkill County with its vast accumulations of anthracite silt now valued at $10 a ton in comparison with a market price of $6 2 years ago.

That hydrogen, ammonia, ammonium nitrate, urea and nitrogen solutions, methanol, calcium carbide, acetylene and vinyl chloride can be produced from this proposed plant is the firm conclusion reached after several years of experimentation. And it should not be forgotten that for years research to discover new uses for anthracite has been consistently, even doggedly promoted by Congressman IVOR D. FENTON, representing the Schuylkill-Northumberland district. It was through his farsighted efforts that a Federal laboratory for this purpose was established at Schuylkill Haven. The contribution made by that installation to the development of the major chemical industry now in prospect no doubt was considerable.

The anthracite counties, like Northumberland, which for years have been plagued by the problem of court-mandated depletion allowances to the mining companies, as well as the management of large areas of coal land acquired because of the owners' failure to pay taxes may find their burdens eased by the Dynamics-Reading proposal. In any event, there is reason for Congressman FENTON to feel that his faith in anthracite has been justified and his determined efforts in behalf of his district have paid off.

[From Chemical Week, May 30, 1959]

TECHNOLOGY NEWSLETTER

Behind Dynamics Reading Chemicals' coal-chemicals project at Pottsville, Pa., is a major switch in basic process technology. This fact was revealed by Philadelphia & Reading Corp. this week as the key to its proposed $100-million joint venture with General Dynamics Corp. (CW, May 23, p. 21).

Originally, P. & R., with the aid of Hydrocarbon Research, set out to develop a commercial fluidized-bed technique for producing synthesis gas from anthracite silt—a mixture of coal fines, sand and rock—that contained about 70 percent carbon (CW, Feb. 23, 1957, p. 70). About a year ago, however, the company switched its attention from its 50-million-ton silt research to anthracite refuse—coal-breaker discard containing about 25 percent coal, 75 percent rock—of which it has some 300 million tons.

Underlying Dynamics Reading Chemicals' confidence in the economic and technical feasibility of using anthracite are full-scale tests in the commercial Lurgi gasification facilities of Steinkohlengas, AG (Dorsten, Germany). Although P. & R. has not released cost estimates determined from these tests, comparable figures are available in a Bureau of Mines report (Report of Investigations 5420) covering similar studies conducted for the bureau at the Steinkohlengas plant.

Based on the use of anthracite at $4 per ton, the Bureau estimates, synthesis gas could be produced by the Lurgi process for a total material cost of about 20 cents per 1,000

cubic feet. DRC's material cost may be as low as 8–10 cents per 1,000 cubic feet, since P. & R.'s anthracite refuse can be charged off at little or no cost (upgrading or refuse to eliminate much of the rock yields a sufficient amount of boiler-fuel-quality coal to pay for beneficiation).

Anthracite silt reenters the picture in the companies' plans for acetylene production. Use of silt as boiler fuel will permit production of electric power at considerably below the going 8-mills rate in the Pottsville, Pa., area and less than TVA's selling price of 6 mills per kilowatt-hour. Freshly mined lump coal will be used as the source of carbon for calcium carbide production. DRC's proposed acetylene capacity: "in excess of 50 million pounds per year."

P. & R.'s optimism about the marketability of anthracite-derived chemicals is based on what it feels will be the "lowest-cost synthesis gas, hydrogen and acetylene in northeastern United States." It foresees the Pottsville project as another Calvert City, with large-volume, over-the-fence sales to several other chemical plants in the area. Economic feasibility of translating the Lurgi gasification process to U.S. operating conditions has been guaranteed by Blaw-Knox, says P. & R. And lengthy marketing studies, with the help of Arthur D. Little, Inc., have convinced the companies that they will be able to sign up enough customers to go ahead with the project in the near future.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. EDMONDSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time for the purpose of outlining to the committee a difference that is going to be before you in just a few minutes on the question of a limitation on the life of this Commission. I do not believe there is a committee in the House that has a more able or a more conscientious or a more resourceful chairman than the Committee on Interior and Insular Affairs, and I know when the chairman agreed to present an amendment to limit the life of this Commission to 5 years on the floor, he was in complete good faith when he said it, and he will undoubtedly fight for that amendment. But, I want to advise the members of the committee here that there are some of us on the committee that have handled this problem that believe that a limitation of any kind is a questionable proposition and that if a limitation is to be imposed, this House should at least be realistic in imposing a limitation that will give to this Commission an opportunity to get organized and to get really tooled up to do the job.

The gentleman from Colorado, the chairman of the committee, is going to offer an amendment to limit the life of this Commission to 5 years. Some of us believe that a minimum of 8 years should be provided to this Commission if it is to be limited, to make possible some sort of a broad-scale attack upon the more than 200 different research problems that are in need of attention by the Government. Frankly I do not believe it would be possible to get the caliber of men that we need in this Commission to leave what they are doing and get over into a Government organization that has a 5-year limit placed upon it. So, we hope that you will listen to the debate on this question and weigh carefully the merits of 5 years against 8 years if it is decided to have a limitation on the life of this Commission.

I can say I remember since I came to this body that this House has found it necessary on several occasions to extend the life of commissions that have been created because those commissions simply could not do the job that was assigned to them. A noteworthy example in my State's intimate experience is the example of the Indian Claims Commission which the House created in 1946. It was given a 10-year life. The Indian Claims Commission found it necessary to come in for a 4-year extension just a couple of years ago, and my prediction is that it is going to have to have another extension to get the job done.

Certainly the coal industry with over 250,000 people employed in it and dependent upon it, with thousands and thousands of people across this country dependent upon its life for their well being, is entitled to a lifetime for its Commission on Research that will enable an effective job to be done.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. FULTON. Mr. Chairman, I would like to compliment the gentleman on his statement and associate myself with his position.

Mr. EDMONDSON. I thank the gentleman.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. JENNINGS. There were several bills presented to the subcommittee and to the committee. In any of these bills was there any limitation on the term of this Commission?

Mr. EDMONDSON. I will say, in answer to the gentleman, that I do not know of any bill considered by the committee that had a limitation on the life of the Commission. I do not recall the point even being debated in the committee. I do not recall any testimony being presented to the committee on the subject while we were considering this legislation.

Mr. JENNINGS. Does the gentleman not feel that in an area so important to such a vast segment of our economy that a short term of 5 years might tend to hamper the exact research that we would like to get under way?

Mr. EDMONDSON. I feel that 5 years or 8 years would hamper the Commission, but I believe I know a little bit of the temper of this body on the subject of setting up commissions without some kind of termination date being placed in the law on the subject, and I am trying to recognize that temper.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman.

Mr. BROWN of Ohio. Mr. Chairman, I attempted to make it clear when the rule was being considered by our committee, that there would not have been a rule granted, and the bill would not have come to the floor, unless there had been a limitation on the length of life of the Commission, so that the Congress could have the opportunity of taking a look at it within a reasonable time to make sure whether or not it was worth while. That matter was taken up with the coal industry, and as I understand it, they agreed that a 5-year limitation was satisfactory; that within a period of 5 years they could ascertain its value, and that they needed that much time for the experts to do some exploratory work, and to be organized properly. In other words the industry agreed that within the 5-year period it could be ascertained whether the Commission was worth while or not, and if it was not worth while they did not want it. If it was, Congress would, of course, have the right to continue it.

Mr. PRICE. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I favor enactment of this legislation to encourage the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission.

Should the programs of such an agency be properly supported the results will, I am certain, improve the economic position of the coal mining industry. Benefits will come to consumers of coal, coal mine workers, distressed coal mining communities, and to the general public.

I have always felt enough was not being done to explore new and more effective uses of coal. This is a problem of national concern, therefore it is appropriate that the Government increase its work in this area. According to the committee's report on H.R. 6596, very little of the coal research conducted by the U.S. Bureau of Mines has been directed toward assisting the coal mining industry with its immediate or short-range research and development problems. This needs to be done and this legislation will fill this gap.

There is immediate need for the research this Commission will sponsor. I urge my colleagues to support this bill.

Mr. ASPINALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 11, line 5, after line 5 insert:

"SEC. 9. The authority contained in this Act shall expire five years from the date of the Commission's organization meeting. The Commission shall present to the President and the Congress as soon as possible after the close of its fourth year of business a full, complete and comprehensive report on its accomplishments up to that time, on the work which it then has in progress, and on the prospects for additional fruitful research projects. No proposal to extend the life of the Commission shall be submitted by it to the Congress until said report has been presented."

Mr. ASPINALL. Mr. Chairman, this is the amendment to set a date of expiration for the Commission, the amendment to which I made reference in my first presentation. It was made in good faith with the understanding that I had with the distinguished gentleman from Virginia [Mr. SMITH], and the distinguished gentleman from Ohio [Mr. BROWN], of the Committee on Rules. I did not know until a few minutes ago that there would be any amendment proposed to this

amendment to extend the time further than the 5 years.

I must say that I was not prompted by a request from the gentleman from Virginia [Mr. SMITH] or the gentleman from Ohio [Mr. BROWN] solely. I have had an experience out in my area with the operation of a research and development program.

There was a considerable amount of money involved in that authorization. In fact, it amounted almost to $80 million before we got through with it. That authority, if I remember correctly, was limited to a 5-year life. It came back to Congress and got an additional 5-year life. I must say that I have not been entirely satisfied with the results obtained from the large expenditures made in that program. Perhaps it is for that reason I lean toward the independent Commission in this particular legislation. While saying that, I must say I have been very well satisfied with the work done on mining shale that was a part of the research program at Rifle, Colo. In other words, I think it was an outstanding job by the Bureau of Mines, but so far as retorting is concerned I have not been very well pleased. Now I envision, and I will be honest, I envision this situation: if the Commission provided by this legislation does the job which I think it can do with the personnel that we are trying to make available to it, it will do a job of sufficient character and caliber that we shall be glad to authorize an extension of the program for a reasonable length of time. But to carry on this kind of research program without once knowing what is going on just leaves the Congress open to criticism as to the expenditure of the taxpayers' money. Whether it should be for 5 years or 7 years or 4 years or 8 years, I do not know. I have not given very much consideration to that. But I am willing to stand on the 5-year period myself.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. JENNINGS. I would like to pose the question to the chairman, and ask the chairman of the subcommittee: Did your committee—and I want to compliment again your committee on doing a very fine and outstanding job and for rendering a real service to the Congress by reporting this bill—but did you at any time consider any limitation either for 5 years or 8 years in your deliberations and hearings on this legislation?

Mr. ASPINALL. I was a member of the select committee from the time it was formed—a ranking member on the majority side—and have served all of the time on the full committee and subcommittee, as the gentleman knows. I know of no discussion that we had so far as the limitation of time was concerned. I doubt if anyone could get up here either in support of my amendment or some other amendment, whether it be for a short or long period of time, and say what is going to be necessary as far as the length of the program is concerned. I would say this, if we make it necessary that the Commission do its work and report back, we are going to get results, in my opinion. I think that that will be true with this program just the same as it is true with the saline-water program that is now being carried on.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. WIER. I would like to remind the gentleman with reference to the expressions of his hopes and feelings about the success of this venture, that perhaps one program that comes immediately to our minds is the desalting of ocean water program that is going on now.

Mr. SAYLOR. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, with due deference to the chairman of our full committee, who has offered this amendment, I think, in accordance with his agreement with the Committee on Rules. I have been a member of the special subcommittee which was authorized by the 84th Congress to study the problems of coal. The hearings that were held by that subcommittee and its findings were filed with the Congress. I attended all of those hearings except the one in the district of the gentleman from Virginia in Abingdon, Va., and I have read all of the testimony that was taken there. There was no testimony ever given with regard to the limitation of time that would be required for the Commission. Last year our committee held hearings in an effort to determine whether or not a similar bill should be reported. Testimony was taken from the operators and from all of the persons interested and no one ever presented any testimony with regard to the time. This year, under the able leadership of the gentleman from New York [Mr. POWELL] many of the same witnesses appeared and reiterated their support of this legislation. Not one of them recommended a limitation on the life of this Commission. This Commission, as it is proposed to be established, must go every year to the Committee on Appropriations of the House, and if they are not doing a job, the House every year will have control of their functions, through the control that the Committee on Appropriations exercises in such matters.

I, for one, have a great deal of respect for the work of the great Appropriations Committee. It looks very carefully, both by way of the subcommittee and the full committee into the appropriation of money. If there is to be any limitation on this Commission it should be through the Appropriations Committee which has the means to limit its life to 5 years.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the distinguished minority leader.

Mr. HALLECK. Is it not true that with regard to Commissions such as this which have been created through the years that a limitation of time is always considered, and that that probably stimulates immediate action and probably if anything can be accomplished it can be accomplished within a reasonable time?

Mr. SAYLOR. There have been some Commissions that have had a time limit on them, but in my experience most have not.

Mr. HALLECK. My recollection is that most of them have; and I might say to the gentleman that there are a great many people who seem concerned about just how helpful this legislation will be. To my mind it would probably be in the interest of some sort of solid accomplishment if the time limitation could be adopted.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to my colleague from Pennsylvania.

Mr. FULTON. I have been a member of the select committee that was working on space in the last Congress last year and I am on this new Science and Astronautics Committee. We have just set up NASA, that is the National Astronautics and Space Agency to do the research in two fields; one, in aeronautics, and the other in space.

That Agency with the approval of the President has been set up without any time limit, and that is an allied field of research for one particular industry, for example, the aeronautics industry of this country.

My feeling is that if we in Congress set up an agency by such authorization we want to test it to see that it does well. If there is an indefinite authorization it could be cut off at any time, while if we put in a definite period of years, 5, for instance, it is an assurance that it will operate for 5 years whether it is good or not. If there is not a limitation it leaves it, as the gentleman from Pennsylvania just said, to the House Appropriations Committee not only as to how much money they are to get but what their functions shall be in carrying out this research and development program.

Mr. EDMONDSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDMONDSON to the amendment offered by Mr. ASPINALL: On line 1 of the Aspinall amendment, after the word "expired" strike out "5" and insert "8".

Mr. EDMONDSON. Mr. Chairman, I have already discussed the effect of this amendment. It is to substitute an 8-year limitation for a 5-year limitation.

I have tried to be frank with the members of this committee in stating that I personally would provide no limitation, but that I am very very fearful of how effective this Commission will be if it has only a 5-year limitation from the outset.

I would like to say just one thing with regard to the comments of my good friend the gentleman from Ohio [Mr. BROWN] a few moments ago, who pointed out to the House that this legislation never would have been on the floor of the House if there had not been an agreement for a minimum of a 5-year limitation; and he said at that time that the coal industry had said it was agreeable to that,

I am not greatly persuaded by the arguments of my good friend from Ohio that in order to get it out the chairman of the committee and the coal industry were willing parties to the agreement. I think they were more in a position of someone who had a loaded shotgun pointed at his head and is asked: "Will you agree to such-and-such?" Under

those conditions a lot of us would agree to things we were not enthusiastic about at all, in fact that we were opposed to.

I think that pretty well sums up the situation of the people in the coal industry. I would not say that my distinguished chairman was in that position. I know that he is fighting for his amendment here on this floor, but I do believe that the agreement reached under these circumstances, which followed a turndown of the rule, are a little bit suspect as to the volition involved on the part of the parties to the agreement.

I still hold to the position I took at the outset, a Commission with only a 5-year life is going to have a very difficult time getting tooled up to act effectively on the great number of research projects that are in need of attention with regard to the coal industry.

I sincerely hope that this body will reject the 5-year limitation. I hope you will prefer an 8-year limitation to a 5-year limitation. Frankly, it would not displease me in the least if the House after amending the 5-year limitation thereafter rejected an amendment for any kind of limitation at all.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. For the gentleman's information and for the information of the House, no one approached the coal industry. The coal industry approached some of us who were in Congress, and in a position of responsibility, suggesting the 5-year period as a sufficient length of time to determine whether or not this work would be worth while. They said a shorter time would not be helpful and a longer time would not be necessary. The coal industry itself, or the spokesmen for the coal industry, responsible men I can assure the gentleman, suggested the 5 years—not 8 but 5.

Mr. EDMONDSON. I certainly would not want the gentleman to think for 1 minute I was accusing him of going out looking for coal industry people with a shotgun, but I am in contact with some people in the coal industry, too, and I believe I know what they think of this proposition. I do not find any enthusiasm among my coal people for the 5-year limitation.

Mr. BROWN of Ohio. I do not know the gentleman's coal people. I do know the coal people who came and talked to me, and they represent a great deal of the coal industry of America.

Mr. EDMONDSON. I am satisfied my good friend from Ohio is speaking from the heart on this subject, I am satisfied he means every word he says. But I mean every word I say on this subject, and I believe I have talked to a lot more coal people on this bill than the gentleman from Ohio has.

Mr. BROWN of Ohio. I just wanted to make certain I was not misrepresented and that the position of the coal industry was not misrepresented.

Mr. EDMONDSON. I do not believe the gentleman is the only person who has talked to people in the coal industry.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. I want to point out to the gentleman that obviously the 8-year period is better than 5. But how can you in dealing with research problems put on a time limitation? We are sending men out to explore the unknown, to find out new facts, and just at the moment of a break through they have their work terminated. Obviously, with the requirement of an annual appropriation, any time limitation is unnecessary because it could be cut off automatically. I would rather vote against the whole amendment.

Mr. EDMONDSON. I could not agree with the gentleman more.

Mr. ASPINALL. Mr. Chairman, I rise in opposition to the Edmondson amendment to my amendment, and in doing so I would clear up one thing. I was the one who proposed the 5-year limitation while we were presenting our case before the Committee on Rules. I was interrogated by some of the members and asked why we should not cut it down to a shorter time than the 5-year period. As far as the 5- or 8-year periods are concerned, we have no logical argument to present for 5 or for 8, because we have not gone into that matter as far as the committee is concerned. I will say that this is a new undertaking by the Federal Government and that the Commission so charged can report back to this body within 4 years. It has to make some kind of a report annually. But it can report back in 4 years and present its case for reinstatement if it is doing a good job. I think it is in accordance with all research and development programs I know anything about.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. FULTON. We must look at coal in relation to other fuels. On our committee, which I mentioned a while ago, we have just come in with a very large expansion for the jet propulsion laboratory in California, without any time limitation on it whatever. If they are to have research, development and exploration programs for fuel of a sophisticated nature, they would be competing with coal.

Mr. ASPINALL. May I say to the gentleman that I, too, serve on one of these great committees which has jurisdiction in another field of power, and if I know anything about each one of the committees, the one upon which the gentleman from Pennsylvania serves and the one upon which I serve, they are enjoying a honeymoon. One of these days they are going to have to answer to Congress in more detail, that is all there is to it. That is all I am asking for in requesting support of my 5-year limitation amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. EDMONDSON], to the amendment offered by the gentleman from Colorado [Mr. ASPINALL].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ASPINALL].

The amendment was agreed to.

Mr. McCORMACK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK:

Page 6, line 9, following the word "Government" strike out the period, insert a comma, and add "and no department, agency, or independent establishment of the Federal Government shall conduct any research under the authority of this act which duplicates research being done by the commission."

And on page 6, line 15, after the word "conducted" strike out the period, insert a comma, and add "and before initiating any research under authority of this act, such departments, agencies, or independent establishments shall consult with the commission."

Mr. McCORMACK. Mr. Chairman, the purpose of this amendment is to bring about efficiency and economy. It also places the Commission in a position where it is not subservient to any other agency or department of Government carrying on research in the field covered by this act. If we are going to eliminate duplication one way, we should do it across the board. The whole purpose of my amendment is to see that while the Commission cannot engage in anything of a duplicating nature that some other agency is carrying out, that some other agency should not carry on research in the field where the Commission is engaged in research activities. So I consider my amendment to be a clarifying one and one that gives more dignity to the Commission. Certainly I think this Commission should be given as complete dignity as possible. I have followed the coal situation for many years, because I was one of those who voted for the original Bituminous Coal Commission Act back, I think, in 1933 or 1934, when I was a member of the Committee on Ways and Means.

Mr. ASPINALL. Mr. Chairman, will the distinguished gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Colorado.

Mr. ASPINALL. I have gone over the language that the distinguished gentleman from Massachusetts [Mr. McCORMACK] has offered, and I think that it is in order. I think that it does make it an equitable approach to this matter of duplication. Most certainly those of us who support this legislation want the money that is spent by Uncle Sam to be spent wisely, and we would like to have the rights on one side just the same as the rights on the other. Speaking for myself but not as a member of the committee, I shall be glad to accept the amendment.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I have discussed this matter with the distinguished majority leader, and I am happy to accept the amendment.

Mr. McCORMACK. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK].

The amendment was agreed to.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, with the adoption of the amendment placing a limitation of 5 years on the life of this program, I certainly am hopeful that no amendment will be offered to place this research program in the Department of the Interior. This program, in my judgment, with any limitation on it, is under a great handicap: There is the question of recruitment of personnel, then setting up the Commission and taking it beyond the realm of politics, and staggering the membership who shall constitute this Commission. Personally, I believe I can foresee the need for making this Commission a permanent one. All we need to do is to consider the conditions existing in the coal industry, which I feel points up the need for a permanent Commission. But, be that as it may, there is every reason in the world why this program should not be in the Department of the Interior.

The Special Subcommittee on Coal Research noted that some forecasters predicted a great future for coal based on projections on the growth in energy demands. The same forecasters made similar predictions 10 years ago. It is interesting to note that the subcommittee observed that the future of coal and the coal-mining industry, as it is now constituted, is clouded by a number of unknown factors. Consideration of these factors led the subcommittee to conclude that the future of coal as we know it today may depend primarily on the progress that is made through coal and allied research and development.

The Interior Department is not going to give this subject matter the consideration that it rightfully deserves. It never has in the past and it will not in the future.

We all know that the big oil interests are powerful in this country. I could cite illustrations where research projects undertaken by the Interior Department have not been successful. Both oil and coal deserve equitable treatment. An independent commission is indispensable if this program is to receive the consideration that it rightfully deserves.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. BROOKS of Louisiana. Mr. Chairman, what the gentleman said about making this an independent Commission, I want to endorse. My district is not a coal area, but we have had experience, in a limited way, in the Committee on Science and Astronautics, which indicates clearly that where you have a research and development program, a scientific program of this character, that you should have an independent Commission, and it should be nonpolitical and operate purely on scientific lines. You cannot tell when the breakthrough will come, you cannot tell what the results will be. But if you are going to have worthwhile results you ought to have an entirely independent Commission. So I subscribe to what the gentleman has had to say.

Mr. PERKINS. I thank the gentleman. With an independent Commission we could put this matter in a category where it will be beyond the realm of politics.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. BOW. I wonder if the distinguished gentleman from Kentucky knows about the testimony of the United Mine Workers just yesterday, to the effect that this should go into the Interior Department?

Mr. PERKINS. I do not know about the testimony of the United Mine Workers.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, earlier this afternoon the gentleman from Pennsylvania [Mr. FULTON] saw fit to read a part of my voting record. He said something about my vote on the Hoeven amendment to the tobacco bill. I do not know what reference that could possibly have to this bill. But he read only a small part of my voting record for the short 11 years I have been here. I wish he had read it all, because I am proud of it. And I can say that during those 11 years, unlike the gentleman from Pennsylvania [Mr. FULTON], I have not voted a single dime for those foreign boondoggles he so enthusiastically supports.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. The gentleman from Iowa does not yield to the gentleman from Pennsylvania because a short time ago he refused to yield to me. As a matter of fact, the last two times he has used my name on the floor of the House he has refused to yield to me. Otherwise I would be more charitable to the gentleman, but I cannot yield to him at this time or later until he extends to me the courtesy that he expects me to give him.

Mr. Chairman, no, I have not voted for any of his boondoggles—this business of pouring money out to foreign countries to establish factories to produce, for instance, barbed wire which is then shipped into this country to displace 50 percent of that production in the steel plants of the United States. It is my understanding that coal is used in the production of steel, and both coal and steel are produced in the State of Pennsylvania, from which the gentleman comes. If foreigners were not producing barbed wire and other steel products with our money and shipping them into this country more coal would be mined and used by the steel mills of this country which would help eliminate some of the poverty in the coalfields. We might be taking care of some of the miners in the gentleman's State of Pennsylvania whose jobs are now being taken by the 18-cent-an-hour Japanese labor and the 60-cent-an-hour labor in some of the European countries. So I have no apologies for my voting record, especially on the foreign handout bills.

This bill has been considerably doctored up this afternoon, but the fact still remains that it provides for a brand-new Commission of three members at $20,000 a year each. It provides 10 professional and scientific people up to $19,000 each. It provides for a research director up to $19,000. And what I did not mention a little while ago is the fact that it provides unlimited advisory committees; not just one, but "advisory committees," and these advisers may be paid $50 per diem. So it is proposed this afternoon to add to the Federal bureaucracy a brand new Commission with one of the most expensive outlays for personnel that there is in Government.

I note with interest that the committee offered no amendment to Public Law 313 in order to put on the payroll those 10 scientific and professional employees. We, on the manpower and utilization subcommittee, are trying to ride herd on the number of supergrades and scientific and professional people, yet here we have a bill that provides that 10 of them be put on the payroll without regard to the allocation machinery. We cannot control this thing if Members of the House are going to nullify the provisions of Public Law 313.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa may proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ANDERSEN of Minnesota. The gentleman mentioned the salary which will be paid to the head research man in connection with this program. The research administrator in the Department of Agriculture, Dr. Byron T. Shaw, only gets $17,500 a year for all of the tremendous organization that he heads up. He is one of the Nation's outstanding research men and his organization has done an outstanding job. Why should we pay or allocate $19,500 to an administrator in a similar position with far less stature?

Mr. GROSS. I have no answer for that. Perhaps someone on the committee can provide the answer.

Mr. ANDERSEN of Minnesota. I have another question I would like to ask. Why should we authorize $2 million for the first year's expenses in connection with this organization when we know it will be difficult for them to even get started during the next 12 months, let alone spending $2 million? I recognize the value of research, but in my opinion that may do a disservice by inviting them to go ahead and load up the organization and not give the careful and thoughtful consideration that they should to doing the right job. It takes time to organize and staff such an organization. So I think we have about $1 million too much in this particular bill.

Mr. GROSS. I will say to the gentleman, as I said before, that if this bill is enacted, it will establish one of the most

expensive Commissions that has ever been set up in the history of the Congress, and I am opposed to it.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. EDMONDSON. With reference to the question of the amount of money to be spent by this Commission, the gentleman from Minnesota sits on the Committee on Appropriations, and I am quite satisfied there will have to be pretty clear and pretty definite justification for any amount up to $2 million that is appropriated for this particular Commission. I would agree with the gentleman that if they cannot present the facts and the proper justification for the $2 million, then the Committee on Appropriations, of which the gentleman is a member, should allow them a lesser sum. But we figure that some figure should be established as a guiding point or a ceiling on the appropriation request.

Mr. GROSS. And I will say you put the ceiling high enough.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ANDERSEN of Minnesota. Would the gentleman from Oklahoma assure me that there is no intention to commit $2 million for the first year unless there is good reason to believe that the money will be well expended?

Mr. EDMONDSON. I have enough confidence in the Committee on Appropriations, of which the gentleman is a member, to be quite certain that we will not get a chance to vote for a $2 million appropriation unless they do have good justification and I would not want to see them get $2 million, unless they do give proper justification for that amount.

Mr. ANDERSEN of Minnesota. I thank the gentleman.

Mr. GROSS. I would like to suggest to the gentleman from Oklahoma that I have a bill pending in the Congress which, if enacted, might provide more money for research and development in coal, that is a bill to reduce the oil depletion allowance from 27.5 percent to 15 percent. I would like some support for that bill from the gentleman from Oklahoma.

Mr. THOMSON of Wyoming. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of this legislation to establish a Coal Research and Development Commission. I think it is agreed by all that research is a proper activity of the Federal Government. This is particularly true when it comes to developing the resources of the Nation.

The research in minerals and fuels has largely been conducted by the Bureau of Mines. I have a great deal of confidence in the Bureau of Mines, and I commend them highly for the job that they have done. Their work has been largely confined to the field of basic research. Applied research on a process or development which is concerned with the economic application of the process or development, or the development of uses and markets, has been ordinarily left to private industry. Generally speaking, that is the way I think it should be.

In the case of coal, however, I believe that there is ample justification for going beyond this normal activity of basic research and for conducting a special program. I need not remind you further of what has happened to the coal industry, the people employed in the industry, and those areas depending upon coal as a principal factor of their economy. Even with the problems confronting the industry, with reduced profits, or even with losses, and with limited resources, the coal industry has made a tremendous effort to support research. The results have been promising, but the resources insufficient.

In the public interest, I think, therefore, that we should make an exception and create this special approach whereby the Commission can go into the field of applied research and other areas, to help take care of this critical situation. The prospects for the development of new uses and new products give promise of great return to the Nation. The provision for sponsoring and promoting research projects carried out by others is particularly important. Much has been done by educational institutions and private agencies in the coal area. The University of Wyoming has had an outstanding research project. The money and resources available have simply been insufficient, however, to provide for the necessary program. This is an area in which I believe we can get a very efficient return on our Federal investment.

Adequate provision has been made to prevent duplication. A limitation has been placed upon the length of life of the Commission, so that Congress will be called upon to review its effectiveness.

This bill has merit, and I urge that you support its passage.

Mr. ASPINALL. Mr. Chairman, I ask unanimous consent that all debate on this bill and all amendments thereto close in 10 minutes.

Mr. GAVIN. Mr. Chairman, reserving the right to object, I have been very patient all afternoon. I have sat here and listened. I would expect 5 minutes.

Mr. ASPINALL. I am asking for 10.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. MORRIS].

Mr. MORRIS of Oklahoma. Mr. Chairman, I support this bill enthusiastically. I have no coal at all in my district and feel reasonably sure I never will have, but this legislation will strengthen our whole Nation. It will be helpful to a great industry; it will in my judgment eventually result in giving employment to thousands, and perhaps several millions of people; and it will give us assurance here in America of making real progress in the field of power, in the field of fuel. It will be helpful from every standpoint I can think of.

There is just one particular thing in the bill I would like to emphasize, and that is found on page 4 under the section dealing with functions and duties of the Commission, which is section 4. The provision I refer to is the one that provides in substance that the Commission shall formulate and execute an overall research program designed to emphasize those developments in uses for coal of particular value to small coal producers.

I like that. I certainly am not opposed to big business, I never have been; we need big business in America. But I do like for us to give careful consideration to the small farmer in America, to the small business man in America, because it strengthens everybody; it strengthens the big man. It is to his real advantage that we strengthen small business and the small farmer. As we do so we strengthen legitimate big business and we strengthen America.

I like the fact that they have, in writing this bill, emphasized the situation that they give special consideration to the development in uses for coal of particular value to small coal producers. I think that evidences the fact that full and faithful consideration of the subject matter has been given. I think it evidences the fact that the people who had this bill under consideration had not only the coal industry in mind but also had the whole economic welfare of the country in mind.

As to you Members who come from coal producing areas, this bill will directly affect you. It will not directly affect me, but after all I do believe in this, and I am not trying to lecture anybody. I am saying this as much to myself as I am to any Member here, that every day of our lives we ought to rededicate ourselves to the proposition of thinking in terms of all of America, thinking not just in terms alone of what affects us selfishly but what might strengthen our whole Nation. Even though this bill will not affect my particular district directly, it will directly affect the districts of many of you, and God bless you, I am glad to see you get the benefit of it. It will put people to work, it will give help to coal producers, especially the small producers. It will create wealth for America, it will assure all of us strength in the future. No doubt many new uses will be found for coal.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, I just want to tell the gentleman from Oklahoma, my very good friend [Mr. MORRIS] that we do have a great deal of coal in our State but we are not producing a very great tonnage at this time. So we are greatly concerned about the coal industry of our State and what can be done to rehabilitate one of the basic resources upon which we have been dependent over a long period of years.

This proposed legislation is a step in the right direction and after this Commission is established, it is my opinion that it would be productive of excellent results and would contribute greatly to the future of this industry which has had such a difficult time over the past few years.

This bill is a small bill, as bills go in this House. We have an $80-billion-a-

year budget. All this proposed legislation is requesting is $2 million.

It is a bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes.

Now, I want to call to the attention of my good friends from the agriculture States the fact that we carefully give every consideration to the basic crops of the various States, such as tobacco, corn, wheat, and cotton, but it is seemingly quite difficult to arouse much concern when the plight of the coal industry of Pennsylvania is brought to the attention of the House.

We do not have any basic crops in our State, but coal is one of our basic industries upon which thousands of people in my State are and have been dependent for many years.

My State of Pennsylvania, a great State of 11 million people, a State that sent 1,400,000 men and women into World War II, a State that produced 30 to 35 percent of all the war materials, is having the fight of its life for its very industrial existence in the highly competitive industrial world in which we are living.

One of our basic resources is coal and it contributes much to the economic and industrial life of our State.

Now, I might say, no one seems to get much concerned when a mine in Pennsylvania closes down and five or six hundred people are out of employment or when a number of mines close down, as has occurred in recent years, and thousands upon thousands of miners are out of employment, with no place to go, with no industry in the area to apply to for work. They are just in a very difficult and deplorable state.

These miners are rooted to the areas in which they live, rooted to the soil and the homes in which they have lived all their lives; but there is nothing in the area for them to do.

But let me call to the attention of the House that nobody seemingly gets concerned when community after community in the mining areas of my State find themselves in difficulties.

Let me point out that if we had one State where agriculture area after agriculture area found themselves in a difficult position and town after town with hundreds of people who could not find work, be assured the matter would be given great and immediate consideration.

While we spend many millions of dollars on agriculture programs for research and development, this proposed legislation is requesting only $2 million for coal; so it should meet with the overwhelming support of the Members of the House.

Now, I have great respect and great admiration for my very good and able friends, the gentleman from Iowa [Mr. GROSS] and the gentleman from Minnesota [Mr. ANDERSEN], so I was a bit concerned as to their attitude toward this legislation which would establish a Commission to encourage and stimulate the production and conservation of coal. I know that my good friends from Iowa and Minnesota know the terrific dificulty the coal industry is in and will support this bill.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. GAVIN. I yield to the gentleman from Minnesota.

Mr. ANDERSEN of Minnesota. The gentleman has made such a persuasive address that I am inclined to vote for the bill.

Mr. GAVIN. I thank the gentleman. I do appreciate the patience of the House, so let us get down to business and pass this legislation, pass it overwhelmingly as a gesture to the coal industry and to the miners of America indicating our great interest to be helpful in solving the problems of the coal industry.

In my opinion, this legislation would develop programs that would put the coal industry back into productivity and the prosperity it once enjoyed. I trust the bill will pass overwhelmingly.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore Mr. MCCORMACK, having assumed the chair, Mr. BOLAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6596) to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes, pursuant to House Resolution 284, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them engross.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker, unqualifiedly and unequivocally.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GROSS moves to recommit the bill to the House Interior and Insular Affairs Committee.

Mr. ASPINALL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 251, nays 54, not voting 129 as follows:

[Roll No. 81]

YEAS—251

Abbitt	Fountain	Morgan
Abernethy	Frazier	Morris, N. Mex.
Addonizio	Friedel	Morris, Okla.
Albert	Fulton	Moss
Alger	Gallagher	Moulder
Andersen, Minn.	Garmatz	Murphy
	Gary	Murray
Anderson, Mont.	Gavin	Natcher
	George	Nelsen
Ashley	Granahan	Norrell
Aspinall	Grant	O'Brien, Ill.
Avery	Gray	O'Hara, Ill.
Bailey	Green, Oreg.	O'Hara, Mich.
Baker	Griffin	O'Konski
Baldwin	Griffiths	Oliver
Barry	Hagen	Osmers
Bass, Tenn.	Haley	Passman
Baumhart	Hall	Patman
Beckworth	Halpern	Perkins
Bennett, Fla.	Hardy	Pfost
Berry	Hargis	Philbin
Betts	Harris	Poage
Blitch	Harrison	Poff
Boggs	Hays	Porter
Boland	Hechler	Powell
Bolton	Hemphill	Price
Bow	Henderson	Prokop
Bowles	Hoffman, Ill.	Pucinski
Boyle	Hogan	Quie
Brademas	Holifield	Quigley
Bray	Holland	Rains
Brewster	Holtzman	Randall
Brooks, La.	Horan	Rees, Kans.
Brooks, Tex.	Huddleston	Reuss
Brown, Ga.	Hull	Rhodes, Pa.
Brown, Mo.	Ikard	Rivers, Alaska
Brown, Ohio	Jarman	Roberts
Burdick	Jennings	Rodino
Burke, Ky.	Jensen	Rogers, Colo.
Burke, Mass.	Johnson, Calif.	Rogers, Fla.
Bush	Johnson, Colo.	Rooney
Byrne, Pa.	Johnson, Md.	Roosevelt
Cannon	Johnson, Wis.	Rostenkowski
Carnahan	Jones, Ala.	Roush
Carter	Karsten	Rutherford
Chamberlain	Karth	Saund
Chelf	Kasem	Saylor
Chenoweth	Kastenmeier	Schenck
Chiperfield	Kee	Schwengel
Church	Kilday	Selden
Collier	Kilgore	Shipley
Colmer	King, Calif.	Siler
Cooley	King, Utah	Simpson, Ill.
Corbett	Kowalski	Simpson, Pa.
Curtin	Lafore	Sisk
Daddario	Landrum	Smith, Iowa
Dague	Lane	Smith, Miss.
Daniels	Langen	Spence
Davis, Tenn.	Lankford	Springer
Delaney	Latta	Staggers
Dent	Lennon	Steed
Denton	Lesinski	Stratton
Diggs	Levering	Stubblefield
Dingell	Libonati	Sullivan
Dixon	Loser	Teague, Tex.
Donohue	McCormack	Thomas
Dooley	McCulloch	Thompson, N.J.
Dorn, S.C.	McFall	Thompson, Tex.
Downing	McGovern	Thomson, Wyo.
Doyle	McIntire	Thornberry
Dulski	McSween	Trimble
Durham	Mack, Ill.	Udall
Edmondson	Madden	Ullman
Elliott	Mahon	Vanik
Everett	Marshall	Van Zandt
Fascell	Martin	Vinson
Feighan	Matthews	Wallhauser
Fenton	May	Wampler
Fisher	Metcalf	Watts
Flood	Meyer	Whitener
Flynn	Miller, Clem	Wier
Foley	Milliken	Winstead
Forand	Mills	Young
Ford	Mitchell	
Forrester	Montoya	

NAYS—54

Adair	Halleck	Michel
Allen	Hess	Mumma
Auchincloss	Hiestand	Pillion
Bentley	Hoeven	Ray
Brock	Holt	Rhodes, Ariz.
Broomfield	Hosmer	Robison
Burleson	Johansen	Rogers, Tex.
Casey	Jonas	Short
Coad	Jones, Mo.	Sikes
Conte	Judd	Smith, Calif.
Cunningham	Keith	Smith, Kans.
Curtis, Mass.	Kilburn	Taber
Derwinski	Knox	Teague, Calif.
Devine	Lipscomb	Van Pelt
Dorn, N.Y.	McDonough	Weaver
Dowdy	McMillan	Wharton
Dwyer	Mack, Wash.	Wilson
Gross	Mason	Zablocki

NOT VOTING—129

Alexander	Flynt	O'Brien, N.Y.
Alford	Fogarty	O'Neill
Andrews	Frelinghuysen	Ostertag
Anfuso	Gathings	Pelly
Arends	Giaimo	Pilcher
Ashmore	Glenn	Pirnie
Ayres	Goodell	Preston
Barden	Green, Pa.	Rabaut
Baring	Gubser	Reece, Tenn.
Barr	Harmon	Riehlman
Barrett	Healey	Riley
Bass, N.H.	Hébert	Rivers, S.C.
Bates	Herlong	Rogers, Mass.
Becker	Hoffman, Mich.	St. George
Belcher	Irwin	Santangelo
Bennett, Mich.	Jackson	Scherer
Blatnik	Kearns	Scott
Bolling	Kelly	Shelley
Bonner	Keogh	Sheppard
Bosch	Kirwan	Slack
Boykin	Kitchin	Smith, Va.
Breeding	Kluczynski	Taylor
Broyhill	Laird	Teller
Buckley	Lindsay	Thompson, La.
Budge	McDowell	Toll
Byrnes, Wis.	McGinley	Tollefson
Cahill	Macdonald	Tuck
Canfield	Machrowicz	Utt
Cederberg	Magnuson	Wainwright
Celler	Mailliard	Walter
Clark	Meader	Weis
Coffin	Merrow	Westland
Cohelan	Miller,	Whitten
Cook	George P.	Widnall
Cramer	Miller, N.Y.	Williams
Curtis, Mo.	Minshall	Willis
Davis, Ga.	Moeller	Withrow
Dawson	Monagan	Wolf
Derounian	Moore	Wright
Dollinger	Moorhead	Yates
Evins	Morrison	Younger
Fallon	Multer	Zelenko
Farbstein	Nix	
Fino	Norblad	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Arends.
Mr. Ashmore with Mr. Taylor.
Mr. Kitchin with Mr. Cramer.
Mr. Alexander with Mr. Utt.
Mr. Rivers of South Carolina with Mr. Pirnie.
Mr. Scott with Mrs. Weis.
Mr. Picher with Mrs. St. George.
Mr. Preston with Mr. Bass of New Hampshire.
Mr. Giaimo with Mr. Ayres.
Mr. George P. Miller with Mr. Reece of Tennessee.
Mr. Rabaut with Mr. Scherer.
Mr. Slack with Mr. Norblad.
Mr. Harmon with Mr. Belcher.
Mr. Whitten with Mr. Riehlman.
Mr. Williams with Mr. Lindsay.
Mr. Wolf with Mr. Glenn.
Mr. Baring with Mr. Fino.
Mr. Barr with Mr. Frelinghuysen.
Mr. Gathings with Mr. Derounian.
Mr. Moeller with Mr. Bosch.
Mr. Shelley with Mr. Budge.
Mr. Sheppard with Mr. Canfield.
Mr. Andrews with Mr. Pelly.
Mr. Green of Pennsylvania with Mr. Miller of New York.
Mr. Alford with Mr. Bates.
Mr. Kirwan with Mr. Byrnes of Wisconsin.
Mr. Irwin with Mr. Broyhill.
Mr. Moorhead with Mr. Cederberg.
Mr. Riley with Mr. Meader.
Mr. Walter with Mr. Laird.
Mr. Barden with Mr. Widnall.
Mr. Nix with Mr. Becker.
Mr. Barrett with Mr. Moore.
Mr. Clark with Mr. Ostertag.
Mr. Toll with Mr. Cahill.
Mr. McDowell with Mr. Westland.
Mr. Flynt with Mr. Curtis of Massachusetts.
Mr. Breeding with Mr. Mailliard.
Mr. Fallon with Mr. Hoffman of Michigan.
Mr. Magnuson with Mr. Wainwright.
Mr. Celler with Mr. Withrow.
Mr. Monogan with Mr. Minshall.
Mr. O'Neill with Mr. Merrow.
Mr. McGinley with Mr. Kearns.
Mr. Boykin with Mr. Gubser.
Mr. Coffin with Mr. Jackson.
Mr. Davis of Georgia with Mrs. Rogers of Massachusetts.
Mr. Dawson with Mr. Younger.
Mr. Multer with Mr. Goodell.
Mr. Fogarty with Mr. Bennett of Michigan.

Mr. McDONOUGH changed his vote from "yea" to "nay."

Mr. O'KONSKI changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

FIRST POSTMASTER GENERAL COMMEMORATIVE STAMP

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, no one, with the exception of our Presidents, is more deserving of a special commemorative stamp to honor his memory than the first Postmaster General of the United States.

President George Washington appointed Samuel Osgood to that post on September 25, 1789, and was confirmed by the Senate on the following day. He served in that capacity until August 19, 1791. He resigned in order to engage in commercial business in New York. Later on, he was elected a member of the State legislature, and for a time served as supervisor of New York City. In 1802, President Jefferson appointed him to the position of Naval Officer for New York, which he held until his death in 1818.

Sam Osgood was born in the village that has since become the town of North Andover, Mass. After graduating from Harvard, he studied for the ministry, but ill health prevented him from following this vocation, and he turned his attention to merchandizing. As a result of his active interest in public affairs, he served several terms as a member of the Massachusetts Legislature.

Before hostilities broke out, this ardent patriot enrolled in the militia. As captain of a company, he took part in the battles of Lexington and Concord. Later on he was appointed to the staff of General Ward, with the rank of colonel. While holding his rank in the Army he was elected to the Massachusetts House, and subsequently to the Senate.

In 1781, he was sent as a Delegate to the Continental Congress. He was appointed first Commissioner of the Treasury under the Confederation in 1785, and was holding that position at the adoption of the Constitution in 1787. As Commissioner, he proved very efficient in prevailing upon the States to grant funds to Congress.

As a Member of Congress he was alert and capable, serving on many important committees and having a hand in the preparation of numerous constructive measures, particularly those relating to business and finance.

President Washington made a wise choice in selecting Sam Osgood to be the first Postmaster General. He had met and known Osgood during the Revolutionary War, and had great confidence in his executive ability. That confidence was well repaid. Osgood applied himself to the difficult task of organizing the Department, contracting for the carrying of the mails over certain prescribed routes, and preparing rules for the efficient operation of this fundamental service. The postal affairs of the country were in a very chaotic state. By the sheer strength of his administrative talents, Osgood developed a Government department that would benefit the whole people, despite congressional inertia in providing the necessary funds to extend and expedite the postal service.

Samuel Osgood was not only the first Postmaster General; he was one of the first Members of the Continental Congress; was the first Commissioner of the Treasury; and was one of the first to fight for the independence of our country.

Commemorative stamps have been issued in honor of various individuals and events. I think that the time has come for the U.S. Post Office Department to take pride in its own history and achievements by authorizing a special stamp in tribute to Samuel Osgood, who organized the Department and established the high standard of leadership that has been an example and an inspiration to it ever since.

I am confident that the Congress will heartily approve of this honor to Sam Osgood; minuteman of Concord and Lexington, public servant, patriot, and father of our postal service.

FACTS ABOUT AMENDMENTS WHICH WOULD MAKE WHEAT BILL WORKABLE

Mr. COLLIER. Mr. Speaker, I ask unanimous consent that the gentleman

from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. QUIE. Mr. Speaker, if we are to allow wheat farmers to receive a 90 percent of parity price support for their crop, acreage controls on their production must be imposed.

During the debate on this legislation yesterday, I offered a number of amendments which were designed to make H.R. 7246 a workable bill.

Unfortunately, due to a gag rule imposed by the majority, I will be unable to explain my amendments—and thus the amendments were doomed to defeat.

In order that Members of the House and the other body might have the opportunity to learn the facts behind the amendments I offered—and thus understand them—I have extended my remarks in the RECORD.

I hope that the remarks will be read by every Member of Congress in order that better understanding will result from a study of the facts I present.

INVESTMENT BANKER OBJECTS TO REMOVING THE INTEREST-RATE CEILING ON TREASURY BONDS, BECAUSE HE DISAPPROVES OF THE ADMINISTRATION'S POLICY OF CONTINUALLY CUTTING THE PRICE OF ITS BONDS

Mr. JOHNSON of Maryland. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. PATMAN. Mr. Speaker, some of us may have assumed that investment bankers approve of the mess this administration has created in managing the public debt. If so, this seems not to be the case. I have a letter from a prominent investment banker who most emphatically opposes removing the interest-rate ceiling on Treasury bonds—as the administration is asking—because he disapproves of the administration's policy of continually cutting the price of Government bonds.

Shortly after the elections in 1952, Mr. W. Randolph Burgess, who was then chairman of the executive committee of the National City Bank of New York, came to Washington and organized an advisory group that was later to serve under him in his post as President Eisenhower's Deputy Secretary of the Treasury. Mr. Burgess, with this group of advisers, is the architect of this administration's hard-money, high-interest policy, though Mr. Burgess has now left the Treasury. This high-interest, tight-money policy is one of the worst and most devastating features of the trickle-down theory of Government.

On June 12, 1953, in a speech at Rutgers University, Mr. Burgess stated:

We have assured the Reserve System that it is the boss on monetary controls.

It is my belief that this statement, which was made long before President Eisenhower made a similar announcement, was the beginning of the mess the national debt is now in.

President Eisenhower made what I believe to be a serious mistake when he took the position that the Federal Reserve is a separate and independent branch of the Government. According to my interpretation, it is the President's duty, as specified in section 2 of the Constitution, to take care that the laws be faithfully executed. The Federal Reserve Act is a law. It was passed by both Houses of Congress and signed by the President. How President Eisenhower can excuse himself from the obligation to take care that this law be faithfully executed, I am unable to understand.

It happens, however, that the Federal Reserve's policies have been the same as those of the monetary managers in the administration. I wonder if the Federal Reserve would have been given such a prominent and independent status by this administration if the members of the Board had entertained different views?

In any case, whoever is responsible, the result has been that interest rates have been going higher and higher and higher. And by reason of high interest, the budget has been going higher and higher. And by reason of the budget going higher and higher, the Congress has been compelled to raise the national debt limit.

Now, Mr. Martin, Chairman of the Federal Reserve Board, says that the going rate of interest on long-term securities is 4½ to 5 percent. This is, in effect, saying that the present administration has placed our national debt on a basis of cost of interest at more than $13 billion a year. In other words, when all of our national debt is refinanced on the basis of present interest rates—rates raised by deliberate actions of the administration and the Federal Reserve—it will cost the taxpayers over $13 billion a year to carry, which is approximately $5 billion more than the present, excessive, cost.

Congress should take a good look at the Federal Reserve System. It is true that the Federal Reserve System, supported by the commercial banks of the country, has been successful in stopping all proposals for an all-out congressional investigation of their activities. Many of us know why they are opposed to such an investigation. They are going to hide as long as they can from the American people and from Congress the things they are doing.

The letter from the investment banker to which I referred is as follows:

JUNE 9, 1959.

We in the investment banking industry are extremely alarmed at the mechanical procedures currently employed by the Federal Government in the marketing of U.S. Government bonds and obligations.

This morning in the newspaper a rather sensational news release reported that the Federal Government was in the process of not only raising its gross bonded debt limit but was also actively engaged in raising the maximum interest rate which Government bonds might bear. This Government policy of continually cutting the price is as serious a financial problem as the commodity storage problems and all other fiscal problems. Money is a commodity and the U.S. Government is in the business of selling this commodity, not only to its various agencies but to the people of this great country. In the marketing of any commodity the continuous reduction of price can lead only to disaster and the chaotic position wherein the commodity no longer has a retail sales market. It would appear that we are approaching this position in the marketing of Government bonds.

As an example, if the Federal Government was interested in selling wheelbarrows and continually stated that while it was selling wheelbarrows today for $100, it would be selling the same wheelbarrow 3 months from now at $80, I believe it would be obvious that no one would buy at today's price. Everyone would wait until the 3 months had expired and buy at a reduced price. The bond sales procedures are doing exactly the same thing. The Government is advising that while today's bonds carry a 4-percent interest rate that tomorrow's bonds will carry 4¼ percent or higher. We employ a most amateurish procedure in continuously cutting the price in an attempt to sell our product.

Recent figures show that one of the major expenses of Government operation is the interest cost of money borrowed. The continuous increase in this interest cost must stop. It would seem a wise and prudent decision if serious consideration might be given to better packaging the product rather than continually cutting the price.

In the investment banking industry the principal responsibility is the selling of stocks and bonds. If we employed the same attitude in the selling of municipal and corporate bonds as is currently followed by the U.S. Government in selling Government bonds, sales would decline to nothing and public acceptance of securities would cease. The simile is exact.

A better packaging of Government obligations could well be accomplished to the end that Government bonds would be better received without the costly process of increasing interest rates. Good publicity as to the retirement of debt would be a tremendous psychological effect on the future sales of Government bonds. Gross national product is at an alltime high. Gross Federal income from all tax sources will be at a record figure. Careful and designed employment of even a small portion of this national income toward debt retirement would help national bond sales. As a smalltown Kansas banker remarked, "We would at least be servicing our loan."

Better programing of bond maturity schedules would create a better product in national financing. In the investment business the demand details of investment change from month to month insofar as the buying public is concerned. Our Federal program has apparently been based upon a presumed opinion that the bond buying attitude of investing Americans is a static thing and exists without change. This simply is not a fact. As a positive example, a few months ago midwestern and eastern banks were buying reasonably short bond maturities. Currently these same investors are buying 9- and 10-year maturities. The Federal Government might well get the feel of investing Americans and program its bond issuance to satisfy its customers.

The bond situation of the Federal Government is approaching a disastrous status and this status could be eliminated through the employment of more realistic procedures

and by a better feel of the pulse of the average American who has money to invest in Government bonds.

I hesitate to write this long a letter in view of the demands on your time; however, U.S. Government bond sales procedures is being processed in a manner which develops less and less confidence in Government bond investment and which is continuously leading to greater and greater interest costs.

If actual examples and figures on this subject would be of aid to you in pursuing this problem, please let me know. My firm will devote time, thought, and energy toward consolidating facts for your use. We are sincerely, thoroughly, and completely aroused by the bond issuing activities presently pursued by the Treasury Department.

Your thought into this matter will be appreciated. The problem is a national problem. The processing of a solution will require thought and dedicated activity.

NAT WATTS, OF NAPLES, TEX.

Mr. PATMAN. Mr. Speaker, former mayor of Naples, Tex., N. G. Watts, was honored recently by the people of that fine town, who appreciate him as a good, public-spirited, civic-minded, patriotic citizen. I have personally known Nat Watts all my life. He is one of our greatest and most outstanding citizens. He is a great American.

The Naples Monitor, which has been published at Naples, Tex., for the past 73 years, in a front-page editorial immediately after a large picture of Mr. Watts stated:

UNCLE NAT WATTS WILL BE HONORED MAY 14

N. G. Watts, former mayor and longtime supporter of Naples, will be honored with a communitywide party on his birthday May 14.

Mrs. J. M. Lasater originated the idea and the chamber of commerce agreed at its meeting Tuesday night to sponsor it.

An open house will be held from 3 until 5 p.m. on May 14 at the City Cafe. All of his friends, both locally and out of town, will be invited to attend.

The day will be designated by Mayor W. A. Giles as "N. G. Watts Day."

Watts was born in Jefferson and moved to Bolden, now Naples, as an infant.

He attended a one-teacher school here for his only formal education and then went to work for a livery stable at $20 a month. He quit for a job with the Cotton Belt Railroad at the same pay.

An ambitious young man, he began the publication of the Omaha Siftings, the largest paper in Morris County at the time.

He later closed the shop and started out for nowhere in particular and ended up in Boyce, La. He bought a printing plant there and began publication of the Boyce Enterprise, then the smallest publication in the State.

He lasted 4 years and during that time was twice elected mayor.

He left Louisiana and went to St. Louis where he worked for a paper box making plant, a real estate office, and as a carpenter before going back to the printing business, again establishing a publication, the National Business Index.

At St. Louis, he took an examination for a job with the civil service as a printer, received an appointment, but hesitated for some time before accepting because he was not sure he could do the job.

He did well enough that he continued for 35 years, ending his career as instructor of printer apprentices.

During his travels and long absence, Naples was his home and he never let anyone forget it. He returned here when he retired and probably will be here until "the finish," he says.

Watts is now or has been a member of the Methodist Church, Eastern Star, Business Women's Club, Naples Garden Club, PTA, chamber of commerce and its president, a director of the East Texas Chamber of Commerce, the North and East Texas Press Association, Texas Editorial Association, Red River Valley Association, Glass Club Lake, the Brahma Booster Club, and almost every other civic organization open to him.

He was a director of the Broadway of America Association, president of the Highway 77 Association, a member of the Morris County school board and chairman of the Morris County ration board.

He was commissioner of the Texas Centennial of Statehood, a member of the committee which promoted Big Bend National Park, and is a life member of the San Diego Heaven on Earth Club.

He was reemployment committeeman of selective service for Morris County, chairman of Morris County for celebration of the President's Birthday for Infantile Paralysis, a member of the Naples Boots and Saddle Club and of the Texas League of Municipalities.

He has made three trips with good neighbor delegations to Mexico and attended all but one or two State Democratic conventions since returning to Texas.

Watts is a former publisher of the Naples Monitor who kept it alive at one time by making up its losses.

THE PLASTIC BAG DANGER

Mr. JOHNSON of Maryland. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. ADDONIZIO] may extend his remarks at this point in the RECORD, and to include a news article and editorial.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, in a recent editorial, the West Orange Chronicle called attention to the plastic bag danger and stressed the need for safety measures in their use. The same issue of the Chronicle carried an article on the subject, containing a warning from the health department as to the hazard to infants and children from misuse of the bags. I commend the Chronicle for alerting its readers to this menace, and feel that the strongest corrective remedies are in order to prevent further tragedies. It is appalling that more than 20 children have been suffocated, and the danger can no longer be ignored. I have accordingly introduced legislation to prohibit the shipment of these bags in interstate commerce, and I urge its prompt consideration.

The news article and editorial appearing in the June 4 issue of the West Orange Chronicle follows:

PLASTIC BAG TOY IS INFANT KILLER, SAYS HEALTH DEPARTMENT—PARENTS WARNED OF HAZARD—ONE HUNDRED MAY DIE IN 1959

Dr. K. W. Thum, of the health department, warned parents today that the use of plastic bags as playthings has resulted in the death of a number of children in the United States during the past year. He urged West Orange parents to be mindful of the danger.

"When children play with transparent plastic bags, they are tempted to put them over their heads to peer through them," he said.

Perhaps an electrostatic charge is generated. In any event the bag seems to grab tightly around the head of the child and make it impossible for him to breathe. This is followed by panic and suffocation.

"There is some evidence that the same hazard applies to plastic sheets if used as mattress covers on the cribs of infants and to plastic pillow cases," he points out.

The National Safety Council recently issued a statement saying more than 20 children were reported to have suffocated because of the use of plastic sheets, pillow cases, or bags in the first 3 months of 1959. This statement was based on material supplied by State health departments. Plastic sheets were mentioned in seven deaths and plastic pillow cases in three.

"The Journal of the American Medical Association called attention to this hazard in its issue of April 25, 1959," Dr. Thum said.

"The National Safety Council estimates that as many as 100 children may lose their lives from this hazard in 1959 unless parents exercise care. The council (415 North Michigan Avenue, Chicago, Ill.) is serving as a clearinghouse for information on this health hazard.

"In addition to plastic covers for mattresses and pillow cases, plastic bags are used to package foods and coverings for laundered garments. While they may be excellent for the purposes intended, children must be protected against their misuse," Dr. Thum advised.

PLASTIC BAG DANGER

We can't stress enough the need for safety measures in the use of plastic bags. All parents should take every precaution to prevent a possible hazard to the children. Statistics prove their danger. They have caused a number of deaths throughout the country thus far in 1959. The health department has issued its warning and we echo its sentiments.

When a child plays with plastic bags, he is so often tempted to put them over his head to peer through. This act could be dangerous because a possible electrostatic charge could cause the tightening of the bag around the child's head, making it impossible for him to breathe. This is followed by panic and suffocation.

There is some evidence that the same hazard applies to plastic sheets if used as mattress covers on the cribs of infants, and to plastic pillowcases.

More than 20 children in the country were reported to have suffocated because of the wrong use of these items.

Many more children could be added to the list, unless parents exercise care. Be sure to protect your youngsters against the misuse of plastic bags.

LABOR LEGISLATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. DENT] is recognized for 30 minutes.

Mr. DENT. Mr. Speaker, it has often been said that a lie will travel around the world before the truth can button its suspenders.

Having had some little experience in the field of legislative action and the forces that are set in motion when an issue has within it the ingredients of politics, morality, and greed, I can understand the unwillingness of many persons of good will and good intentions to speak out.

We have been wrestling for some 3 months in our Fair Labor Standards Subcommittee of the Committee on Edu-

cation and Labor with the various versions of labor reform legislation. During this time we have heard many witnesses—some for, and some against, and some who appear to give neutral advice and counsel. During all this time the public has been led to believe by the daily communiques and press releases as well as the many lines of press notices that legislation aimed at labor reform has been stubbornly and unequivocally opposed by all of the labor forces of this country. The testimony of our witnesses belies this assumption. It appears that the greatest amount of criticism has been aimed at some of our large unions and their leaders.

Setting aside for the moment the questions of individual morality and individual weaknesses or strengths of the various leaders of labor, I would like to address myself to this single and singular statement—organized labor, as such, is not unanimously or unequivocally opposed to labor legislation.

I submit to the Members of this Congress excerpts from testimony given before our subcommittee wherein definite suggestions and definite offers of legislation which proves beyond a doubt that labor recognizes its weaknesses where they have been shown to be and wants to correct them while at the same time fighting for the existence and growth of their bona fide labor organizations.

I would like then to give you these excerpts, not with the idea in mind of convincing you as to the right or wrong, but to prove the point that there is and has been attempts by men such as Mr. Meany, of the AFL-CIO; Mr. Carey, of the IUE; Mr. Hayes, of the International Association of Machinists; Mr. Zagri and Mr. Previant, general council, of the Teamsters Union, and many others representing labor unions who would welcome legislation that would eliminate from their ranks officers and/or members of questionable character and who have perverted their grave responsibilities to their members for personal gain.

I use the following testimony because it bears on the particular sections of the legislation which have been declared to be a proper part of a general provision of the National Labor Relations Act rather than being contained in a labor reform bill.

I compliment Senator McCLELLAN who made the outright assertion that he would have no objection to this phase of the legislation being part of a separate and distinct action.

Let it be clearly understood that I stand foursquare with the Members of this Congress on the proposition that the fundamental rights of labor are to be safeguarded and that these rights should be safeguarded against those who would betray them in or out of their own organizations.

Upon review, the following discussions clearly illustrate my point that good reform legislation will find a ready response from many who are condemned as being opposed to any legislation when the record is to the contrary.

Following are a few statements made by Mr. A. J. Hayes, president, of International Association of Machinists, general vice president of the AFL-CIO, and chairman of its ethical practices committee:

I appear here today in my capacity as president of my own organization which represents 850,000 members working under labor-management agreements with more than 15,500 employers. My membership in the organized labor movement dates back to the year 1917, since which date I have been a member of the Machinists Union.

My purpose in appearing before this committee is to present my views with reference to S. 1555 (the Kennedy-Ervin bill) as it passed the Senate and is now before this committee for consideration. As amended on the floor of the Senate, this bill contains provisions which no responsible trade union officer genuinely interested in the welfare of the workers he represents could conceivably support. Lest that statement discourage you—and I make it with sincere conviction, and only after the most careful consideration—let me make one thing perfectly clear. I am not here urging softening amendments or so-called sweetening provisions. And I am not opposed to legislation which will, in fact, eliminate or minimize crime, corruption, or other wrongdoing. But I do have some definite convictions on the legislation passed by the Senate, and in support of presenting those views for your serious consideration I offer my 42 years of experience in the field which is the subject of the legislation.

Frankly, I am a little tired of the propaganda barrage so evident in the current press which labels every suggested change or recommendation of those with practical experience in the labor movement as an attempt to weaken or soften the labor-management reform bill. No matter how honestly intended or how meritorious the proposed deletion or revision, it is branded as a "softener" if it is suggested by a labor official. The theory back of such propaganda seems to be that because this is a labor reform bill, naturally organized labor is opposed to it and its officials will condemn and criticize the bill without real justification. That simply is not so. No matter what the foes of organized labor tell you, we are just as anxious as you to rid the labor movement of any corruption or racketeering or other abuse. Certainly that should be self-evident from the Federation's expulsion of the Teamsters and certain other unions the officials of which did not meet our standards of ethical conduct. Despite the fact that the Congress may conclude that the powers of the Federation are insufficient to fully cope with the problem, obviously such expulsion action proves the good faith intention of organized labor to rid itself of corrupt influences. And if this be so, clearly what we have to recommend with respect to the proposed legislation does not warrant the accusation or suspicion that we are trying to water down effective reform. We are doing no such thing. We are simply trying to tell you, based upon practical experience of many years standing, that much of what is being presented in the name of reforming corruption and abuse will not accomplish that at all but is simply destructive of perfectly legitimate procedures and customs which are necessary to the orderly and responsible functioning of a labor organization.

In previous statements which I have made on pending labor reform legislation I have said that I favored constructive legislation which honestly sought to remedy the abuses disclosed by the McClellan committee. I still stand by that statement. But I will not be a party to supporting punitive provisions which masquerade as reform measures but actually contribute nothing to the elimination of established abuses. Such provisions would only cripple or severely weaken trade unionism by destroying existing rights and privileges of honest, law-abiding union officers and union members. That is why I think it is of the utmost importance that the reasons for my recommendations to you be properly understood and considered.

On the basis of my experience in the labor movement it is my considered judgment that the Senate version of the labor reform legislation would, if enacted, be contrary not only to the welfare and interest of employees, but also to those of management and the general public. From the standpoint of employees and rank-and-file union members, many of the provisions of the Senate bill will actually deprive them of lawful rights and privileges rather than grant them new ones, impose impossible restrictions, incite needless litigation with its attendant drain on the workers' funds, substitute a government by courts for government by the members, produce unwieldy and unnecessary procedures and redtape, and generally result in disillusionment, disappointment, and resentment on the part of the overwhelming majority of union members and officers of reputable trade unions.

On the side of management, the many unnecessary and unjustified restrictions upon well-established and completely lawful union activities will encourage employers to substantially increase their opposition to unions. This combination will, as this combination has in the past, adversely affect harmonious labor-management relations and inevitably increase the incidence and severity of strikes. This is a long step back in what is supposed to be an enlightened era in labor-management relations.

From the standpoint of the public, the provisions which I shall specifically discuss make no real contribution to the elimination or penalization of crookedness or abuse of union office. On the contrary, most of them actually play into the hands of the very element sought to be restrained by the bill by striking down some of the safeguards honest union members have embodied within their governing laws and honest union officials have utilized for many years to thwart or restrain disruption, disorder, and irresponsible action by subversive, dissident, or crackpot groups bent upon destruction of the union.

I believe it is particularly unfortunate that the Senate of the United States has seen fit to enact legislation which, without any question, severely penalizes the innocent majority for the sins of a relatively small minority. Let us not forget that the report of the McClellan committee itself states in part that the misconduct of certain elements in both labor and management is in no way intended to reflect on the overwhelming majority of the labor unions and businessmen of this Nation of whose integrity the committee is firmly convinced.

I use this portion of Mr. Hayes' testimony to clearly point out the willingness for cooperative action by this large international union.

Another leader of labor who has a reputation as a fighter for the rights of all peoples is Mr. James B. Carey, president of the International Union of Electrical, Radio, and Machine Workers, AFL–CIO; a vice president and member of the executive committee and executive council of AFL–CIO; and secretary-treasurer of the industrial union department, AFL–CIO.

He talks of another phase of this legislation which has received too little attention from the agencies responsible for forwarding information to the peoples of this country.

In much of the testimony given, particularly that of Senator GOLDWATER, there appears to be an underlying move to weaken the labor movement politically as well as economically. The assumption is advanced that the unions are too powerful and that they pose a threat to the economy of this country. I, therefore, submit for the consideration of all, portions of the testimony given by Mr. Carey:

Before opening a discussion of the merits of any of the specific bills before you, I should like to make some general observations. It has been very loosely claimed that labor unions now have an assured and impregnable position in our society. It is glibly asserted that unions are too strong and must be shorn of some of their powers. It is argued that they must be more democratic than the New England town councils of old. I think these assertions and assumptions are demonstrably false. Consequently, a brief statement on the status and function of labor unions in our present day free enterprise system seems to be in order.

One cannot properly assay the role of labor unions in this country today without an understanding of the nature and concentration of modern corporate power. A. A. Berle points out, in his study titled "Economic Power and the Free Society," that approximately 50 percent of American manufacturing today is held by about 150 corporations, reckoned on the basis of asset values.

Taking a larger group, it is probable that about two-thirds of the economically productive assets of the United States, excluding agriculture, are owned by a group of not more than 500 corporations. In terms of power, without regard to asset positions, not only do 500 corporations control two-thirds of the nonfarm economy, but within that 500 a still smaller group has the ultimate decision-making power. Berle points out that this is the highest concentration of economic power in recorded history.

The concentration of economic power may also be expressed in terms of individuals. Thus, recently the National Bureau of Economic Research made the following finding:

"In 1953, the wealthiest 1 percent of the population owned about 30 percent of all wealth, at least 90 percent of all common stocks and virtually all State and local government and corporate bonds."

Each corporation is a highly centralized authoritarian institution in which the officers and boards of directors control policy with almost no check or veto from the stockholders. These officers and directors, for all practical purposes, designate their associates and successors on the boards of directors. The result is that a great corporation is an automatic self-perpetuating oligarchy. Such an organization can, of course, act quickly and secretly in the making of policy, and move without delay in executing that policy with massive power. If labor organizations are to have any impact on this type of economic organization, they must be organized in a manner which can cope with authoritarian power of this nature.

John K. Galbraith, certainly one of the most penetrating of American economists, points out that corporate power necessitates comparable union power. He has called it countervailing power, and illustrates it this way:

"Private economic power is held in check by the countervailing power of those who are subject to it. The first begets the second. The long trend toward concentration of industrial enterprise in the hands of a relatively few firms has brought into existence not only strong sellers, as economists have supposed, but also strong buyers as they have failed to see. The two develop together, not in precise step but in such manner that there can be no doubt that the one is in response to the other."

He goes on to say:

"The operation of countervailing power is to be seen with the greatest clarity in the labor market where it is also most fully developed. Because of his comparative immobility, the worker has long been highly vulnerable to private economic power. The customer of any particular steel mill, at the turn of the century, could always take himself elsewhere if he felt he was being overcharged. Or he could exercise his sovereign privilege of not buying steel at all. The worker had no comparable freedom if he felt he was being underpaid. Normally he could not move and he had to have work. Not often has the power of one man over another been used more callously than in the American labor market after the rise of the large corporation. As late as the early twenties, the steel industry worked a 12-hour day and 72-hour week with an incredible 24-hour stint every fortnight when the shift changed.

"No such power is exercised today and for the reason that its earlier exercise stimulated the counteraction that brought it to an end."

Let there be no illusion, however, as to the security of unions today. The struggle to organize unions, and to retain them, is intense and bitter on many sectors of the industrial front. Established unions have to fight for their existence in some industries. A well-known example is the textile industry. Under the law, every union is theoretically subject to extinction when the term of its collective bargaining contract expires and challenge may be made to its continued majority status. While this is only a theory in some instances, it is a painful fact for a very large number of unions. In short, in a very substantial part of American industry, trade unions do not have a secure place.

Such security as they have is under an ever present threat from unorganized industry, which is sizable indeed. Only slightly over 33 percent of approximately 50 million nonprofessional and nonsupervisory employees are in trade unions. It must be remembered, however, that this union membership is not evenly distributed. In fact, about 15 million union members are concentrated among about 31 million nonagricultural workers. Less than 10 percent of the remaining 20 million nonagricultural workers are organized. Of about 13 million clerical and sales workers, only about 18 percent are organized. The number of union members among the 6 million domestic and agricultural workers is infinitesimal.

Speaking generally, the form and the manner of operation of American labor unions are necessitated in large part by the nature of their principal adversary, the modern corporation. The labor union as it exists today in the United States is an inevitable and salutary response to the challenge of concentrated corporate power.

An illuminating analysis of one aspect of this problem appears in the current Harvard Business Review for May–June 1958, in an article titled "Trade Unions: Romance and Reality," by Benamin Selekman.

Selekman states:

"The trade union, then, is a power organization putting pressure on management for advancing wages and working conditions. From its nature as a power center stems the necessity for centralized administration. Since in the final analysis the threat of a shutdown determines the price which a corporation will pay for labor, a union must be able to initiate and conduct strikes, and a well-organized strike is essentially an exercise in military strategy and tactics calling for highly centralized decision making. It is a form of blockade. Hence the weapons that trouble businessmen and the community in general come into play—the picket line and the boycott. But once we grant the legitimacy of a strike as a weapon in the negotiating process, then we must also grant the legitimacy of using the weapons which make the strike effective."

Selekman goes on to say:

"The tendency toward centralization in American trade unions is therefore rooted in their militant origin. From the beginning until well into the 1930's, only by means of a military strategy could the unions make any progress and hold on to any gains they might have made from time to time. Such strategy called for planning from the top—for deploying organizers, throwing up picket lines, establishing commissaries, providing legal assistance, and raising money to finance this widespread military activity. Unions had to crash the gate to force their way into industry."

This tendency to centralization has been equated, by hostile critics, to a lack of democracy. This view ignores the underlying realities, as pointed out by William M. Leiserson in a book written before his death and released last week, titled "American Trade Union Democracy." He discusses the charges which have been made about the dangers to democracy in labor unions.

He points out, however, at page 68, that "the dangers to liberty and democracy in union organizations are basically the same as those that lead to arbitrary rule and suppression of freedom in nations—insecurity, threats of war, fear of attack from the outside, rebellion within. Among American unions the sense of insecurity is pervasive; they seem to live in constant fear for the safety of the organizations. Ever present they see dangers of attack from employers, threats of antiunion laws, court injunctions, jurisdictional wars with competing organizations, internal disorders causing disunity, and the necessity for strikes to protect gains and win improvements."

Time does not allow a more extended analysis. But even this brief discussion provides a perspective essential to any objective consideration of legislation directed toward the control of labor union administration.

I am sure that we can at least make the admission that there is another side to the question after reading Mr. Carey's statement.

I would like now to submit a part of the testimony of the policy of the AFL–CIO as presented by Mr. George Meany, president of the affiliated groups of unions that represent some 13 million American workers. His statement follows:

OUR POSITION ON LABOR-MANAGEMENT REFORM LEGISLATION

We favor some labor-management legislation for two reasons:

In the first place, disclosures before the Senate Select Committee have made it painfully evident that some segments of the labor movement have succumbed to racketeer control, and that a minority of union leaders have engaged in corrupt and other reprehensible activities. That committee has likewise disclosed that certain employers would rather make corrupt deals with dishonest union officials than meet their statutory obligation to bargain collectively in good faith with proper representatives of their employees; and that some employers have also employed various other indefensible methods for frustrating the attempts of their employees to form unions.

In the second place, it is manifest that these abuses cannot be adequately dealt with solely through self-regulation by the groups involved. The AFL–CIO has adopted a drastic self-policing campaign, and in its implementation it has expelled organizations with a membership in excess of 1½ million because these organizations had come under

the domination of corrupt individuals. Yet once the drastic step of expulsion is taken there is not too much more that the AFL–CIO can do to protect workers and the general public against the improper activities of officials of these expelled unions. Again, the AFL–CIO cannot check the unethical and occasionally criminal practices engaged in by certain segments of the business world; and while a voluntary association has in the nature of things only limited effectiveness in policing the ethics of its membership, it cannot be said that any of the business associations has made any effort at all along these lines. For these reasons we believe that some legislation is necessary, as respects both unions and employers.

Mr. Meany goes on to give an analysis of the legislation that we must study and to give detailed and specific suggestions to this Congress. I recommend the complete reading of his testimony.

I now present the views of Mr. Zagri and Mr. Previant, legislative and special labor councils for the International Brotherhood of Teamsters.

Since much of the publicity and many of the charges that have been aired to the public were geared to the Teamsters, I believe that in all fairness, their testimony should be made part of the RECORD.

Their testimony deals more with the labor viewpoint on the controversial subjects contained in amendments to the Taft-Hartley Act. At the outset let it be understood that from an analysis of all the testimony given to our committee, it appears to me that these particular phases of this law are the bones of contention. These provisions deal with the hot cargo, organizational picketing, and secondary boycott sections of our national labor policies and laws.

No less an authority than Senator MCCLELLAN has publically stated in hearings before our subcommittee that these particular phases of labor legislation might be better handled in a separate piece of legislation dealing with the basic labor law. This, of course, makes common sense. It is a makeshift and a haphazard method of operation when certain sections of a law are handled separately without regard to their relationship to other provisions in the law itself. It is therefore, of great importance to all of us to read the following excerpts from this testimony, if for no other reason than to point up the wide difference in the interpretation of these sections by the National Labor Relations Board rulings, Supreme Court decisions, and management and labor interpretations.

These subjects are not placed on a sacred pedestal and are not above the perverseness of this Congress, but they are necessary because of the serious impact they have upon labor-management relations, a proper subject for separate and detailed action by the Congress of the United States.

Following is a partial analysis of these subjects, well outlined by the Teamsters:

My name is David Previant. I am a member of the law firm of Bohlberg, Previant & Cooper of Milwaukee, Wis. Our law firm has specialized in the law of trade unions for over 47 years. I am a member of the Wisconsin and Michigan Bar and the bar of the Supreme Court of the United States. I belong to the Wisconsin, Michigan, and American Bar Associations and have held committee offices in the labor relations sections of those associations.

During the past 24 years I have represented local, regional, and international unions before State and Federal courts, administrative bodies, and legislative bodies.

I am here today as special labor counsel to the International Brotherhood of Teamsters, in which capacity I have represented such union for the past year.

Since Mr. Zagri will cover the proposed legislation as it relates to the internal affairs of labor organizations, I shall direct my remarks principally to the proposals which deal primarily with amendments to the Taft-Hartley Act. And since most of the controversial amendments to the act are those relating to secondary boycott and organizational representational picketing, I should like to direct my remarks principally to those problems.

First, with respect to the secondary boycott and hot cargo problems, our problem can be simply stated. We believe that the present law is already too highly restrictive and that amendments should be directed to liberalization rather than tightening. We believe that such liberalization is required because there just is not a so-called neutral third party in the typical secondary boycott situation.

In order to illustrate this point, and at the risk of perhaps being a little too elementary, let us look first at the typical primary dispute—a strike for better wages and for better conditions of employment.

In such a case, the employer normally has two objectives. First, he wants to avoid, if he can, making any concession which will increase his cost of operation. Secondly, he wants to avoid or at least minimize any interruption of production during the strike.

A picket line at his plant may make continued efficient production impossible. Suppliers and purchasers or their employees may decide to refrain from helping such employer break the strike. They will usually not go through the picket line. The refusal of employees of either suppliers or customers to enter upon the premises of a struck employer is not the type of conduct which Congress intended to outlaw in 1947 or, we are sure, would want to outlaw today.

Aside from the serious constitutional questions involved, such restriction would destroy the most fundamental of all labor's rights, and that is the right to strike.

But now let us look at a common development in that strike. Often an employer whose employees are on strike will try to avoid the consequences of the strike, either by subcontracting his work to another company or by transferring his work to another plant, which the employer owns. If he is able to do either, free from any peaceful efforts on the part of the strikers to follow the subject of their dispute, the right to strike becomes at best an empty privilege.

As a practical matter, such scheme, if successful, obviously means that the strike has been broken.

In situations of the type just described, I think we will all agree there is no so-called neutral. Certainly the employer whose employees are on strike is not a neutral. It is equally plain that the company or plant which takes over the work which the striking employee normally would be performing cannot legitimately claim neutrality.

In such a case peaceful activities at the premises of either the struck plant or the plant doing the struck work should, and must, be permitted if the right to strike is to have any meaning.

Such peaceful activities usually consist of the display of truthful picket signs which set forth the facts or the nature of the dispute.

We think it is clear that an employer who undertakes to perform struck work or to do business with a struck employer necessarily makes an election at that point. If he wishes to avoid becoming a party to the labor dispute, he may protect himself by simply refusing the work. But if he chooses to do the work he should not be permitted to claim the protecton of Federal law as a neutral to the dispute.

The National Labor Relations Act has been so applied in a number of cases by the courts of appeal, but not quite so consistently by the Board itself.

At this point it might be well to observe that while Congressman BARDEN's bill apparently was intended to affirm this principle of following struck work, we believe that it actually imposes a limitation on the present application of the law. This is so, because the Barden bill would permit only strikes or refusals to perform the services which the strikers would have otherwise performed. This would outlaw, then, picketing for such purpose, or for the purpose of advertising the farmed-out work. It would make this limited right dependent upon an express agreement between the struck employer and the second employer and, by implication, it would outlaw the right to refuse to handle the struck goods or services, and we believe this would leave very little freedom for the strikers.

If any amendment is required in this area, it should be one which clearly establishes the right to follow such farmed-out goods or services and to urge that they not be bought, used, or sold.

Under present Board doctrine, however, it is practically impossible to make a simple request by way of an informative factual picket sign.

Let us take the instance of following the struck goods to a retail outlet, to the consumers, a picket sign addressed to the consumers asking them not to purchase or use goods which originated in a strike-bound or unfair plant.

In the Dallas General Drivers case, before the Board, employees of a retailer's co-op grocery warehouse struck for better wages and conditions and in protest of what they considered to be an unfair discharge. They picketed the retail outlets of the warehouse with picket signs which requested the customers of the stores not to purchase the groceries which came from the struck warehouse.

The customers were not asked to stay out of the stores, and they did not. The store's employees were not asked to honor the picket line, and they did not. Persons making deliveries to the store were not asked to stop such deliveries, nor did they stop such deliveries.

Yet the Board held that since this picket line might not induce—nor did induce but might not induce—other employees not to service the store, such picketing constituted an unlawful secondary boycott.

Now, it is against these perversions of the law by the Board that we protest, and it is against such perversions that we believe we should have relief.

Now, we go to another situation which illustrates a basic, primary dispute. That is one in which union standards are being placed in jeopardy because of substandard conditions in the same industry.

The nonunion employer who pays substandard wages, and usually no fringe benefits, such as pensions and group insurance, is in no position to claim immunity from protest. It is an economic fact that our present day industrial, commercial, and transportational organization virtually makes the entire country one vast single market. The policies of a single employer can and often do affect collective-bargaining patterns in the entire Nation. The steel industry negotiation today is an obvious example.

Now, especially in highly competitive industries, such as transportation, wages cannot be increased or even maintained in the

face of nonunion unfair competition within the industry.

A single employer who refuses to pay union wages and benefits can and does threaten the standards of the union and its members. And even though nonunion employers may be in the minority in any given industry, they obviously constitute pressure against both the union and the responsible employers who compete on the merits of their product and not upon labor exploitation.

The U.S. Supreme Court stated, "An elimination of competition based on differences in labor standards is the objective of any national labor organization." That is why they are for them, gentlemen.

Consider, if you will, the case of a nonunion trucking company, which pays its employees 50 cents an hour less than union employees receive. This may sound like an exaggeration. The fact is that in States such as Nebraska, where some employers have been quite successful in crushing organizational activities among their employees, the differential between union and nonunion wages actually exceeds 50 cents an hour in most cases.

Mr. LANDRUM. Would you yield at that point?

Or did you ask us not to yield, Mr. Chairman? I am sorry.

Mr. PREVIANT. Even if such a nonunion employer employs only 10 employees for only 40 hours a week, he has a competitive advantage based solely on substandard wages of $10,000 a year over his competitor who has only 10 union employees, but who is paying union wages.

An elaborate argument should not be necessary to demonstrate that a union employer in such a case will find it exceedingly difficult to survive, and if he cannot last, his union employees cannot either, and that is a situation which we face today in Nebraska and in many other States.

We earnestly submit that the employer who chooses to compete with organized companies on the basis of substandard wages and minimum or no fringe benefits certainly is not a neutral and the union has every moral and legal right to publicize the substandard conditions prevailing at his shop. Such an unfair employer has a clear-cut choice to make. He can avoid the consequences of the labor dispute by simply raising the wages and fringe benefits received by his employees to the standards prevailing in the community. He then would no longer be competing with unionized employers on the basis of substandard wages. However, where an employer chooses to compete with organized employers on the basis of substandard wages and fringe benefits, he must expect and be willing to assume whatever disadvantages may arise as a result of the union advertising those substandard conditions.

Now, from these examples of the usual primary dispute—and we believe both of these instances are classic examples of the primary dispute—we now go to the so-called secondary boycott, which, as we shall show, is nothing more than a more complicated primary strike, and actually does not involve so-called innocent neutrals.

We earnestly submit that an employer who deliberately chooses to do business with another employer whose employees are on strike, or with an employer who pays substandard wages and benefits, necessarily and inevitably makes himself an ally of the struck or nonunion employer. He, too, has the choice of remaining outside the area of the dispute by simply not doing business with the employer involved in the dispute. But if he decides to participate in the dispute by continuing to do business with and thus help the unfair employer, his own employees should and must be protected in the exercise of their rights to refuse to handle or work on the unfair or struck goods. The employees of a unionized employer should not be required to commit economic suicide by handling the goods or products of an employer whose operations directly threaten their very livelihood. They should not be required to be the pallbearers, if you please, at their own funeral. And the affected union and its members should be permitted to tell them so and to solicit their support.

This refusal to handle or patronize unfair goods or hot cargo is a principle followed for centuries in all parts of the world and in all forms of social or economic relationships.

One need only recall in our own history the refusal by the American colonists to buy British tea, the abolitionists' refusal to buy slave-made products, the refusal to purchase Japanese silks in the 1930's, our recent buy-American campaigns. These principles of self-preservaion and mutual protection are fundamental to our Nation's foreign and economic policies.

Thus, we do not do business with such countries as Red China, because we consider their policies to be inimical to our way of life.

Further than that, we use every available device to induce other countries to boycott Red China in the world market, and sometimes use economic coercion in that endeavor, and before World War II, we adopted an official policy of isolating or quarantining the aggressor. We place tariffs upon goods manufactured in European countries because we recognize that foreign producers utilize their low-wage costs to compete with American producers on the American market.

Were it not for these tariffs, the prices of foreign producers would be much lower than those of American producers paying decent wages and benefits.

In short, we have always recognized in our national policies the legitimacy and the necessity for a program designed to protect an employer paying decent wages and benefits from the destructive competition of a company which seeks to capture a market through the use of what unions call scab labor.

By the same token, if unions are to protect the wages and benefits which they have obtained through many years of sacrifice, it is imperative that they be permitted to dispute with any employer whose operations jeopardize their standards in the community or in the State or in the Nation.

History proves the extent to which an industry is unionized directly affects the extent to which the employees in that industry enjoy an improved standard of living. If organized labor is to successfully continue its efforts to improve the lot of the workingmen, then methods such as peaceful picketing and the negotiation of unfair goods contracts should be enacted. Instead, and not surprisingly, the National Association of Manufacturers, the U.S. Chamber of Commerce, and other spokesmen for business and industry ask for more restrictive legislation. They indicate that the present law is too loose. Yet today, as section 8(b)(4)(a) has been applied, unions are ably protected from engaging in protective activities in what they consider and what we believe economically are in fact primary dispute situations.

Unions cannot under present law engage in picketing activities except at the principal place of employment of employees involved, with very rare exceptions, even though the employer and those employees may be doing business and working at many other places. Nor can a union engage in a dispute with the XYZ company, induce the employees of the ABC company to assist their strike, by refusing to service XYZ company, or by refusing to handle the scab goods. Such inducement, of course, is permissible at the point where the Board says the primary dispute has taken place.

The Board has neither been consistent nor fair in its placing of that place of the primary dispute. The employees of ABC may at that point where XYZ is on strike, be induced by the pickets not to go through their line. But such an inducement, the Supreme Court has said, is really the inducement of individuals, and not considered concerted inducement. Yet both Congressman BARDEN'S bill and Congressman KEARNS' bill would destroy even this limited right by amending 8(b)(4) to include a prohibition on the inducement of the individuals. This would prohibit even the so-called good or primary boycott, and in many instances completely nullify the right to strike.

Additionally, the Kennedy bill, the Barden and the Kearns bill, would also induce employers in activity which is prohibited today by the Taft-Hartley Act. Such inducement of employers was never considered a secondary boycott, if the employer could not be effectively threatened with economic damage, and I use the word "effectively" for this reason: I know that there has been testimony that some employees have been threatened with work stoppages if they continued to do business with nonunion companies. The fact is that under present law such threats are meaningless. They cannot be carried out. Every employer knows that today. He knows the meaning of section 8(b)(4). He knows the law flatly prohibits such threat by strike or work stoppages. So there has never been in those cases any effective secondary boycott, no matter what you want to call the inducement, whether you call it persuasion, or threat.

On the other hand, there is nothing intrinsically wrong or evil for a workingman or his union to appeal to others not to engage in activities which will hurt him. And if the other person is sympathetic, he should be permitted to enter into an agreement with the workingman that he will not hurt him. Such simple request or agreement is also forbidden by the Kearns and the Barden bill in all circumstances, and by the Kennedy bill in the limited circumstance of the common carrier.

We appreciate that under the Barden and Kearns bills the inducement is couched in the words of threat or coercion, but these are words of such elusive and indefinite content and the line between threat, coerce, persuade, and induce, is such a thin and fine one, that we would feel that the importation of such language into the act would for all practical purposes eliminate any kind of an inducement.

Now, since the Kennedy bill is more limited in its dealing with the so-called "hot cargo" contract, we will discuss it in detail. But our comments will, of course, apply with greater force, and of course with greater emphasis, to the broader provisions of the Kearns and Barden bills, because, as I have stated, they have gone considerably further than the limited prohibition found in the Kennedy bill.

The Kennedy bill makes it an unfair labor practice for any labor organization and any common carrier, subject to part II of the Interstate Commerce Act, to enter into any agreement, expressed or implied, whereby the carrier ceases, or refrains, or agrees to cease, or refrain from handling, using, or transporting any of the products of any other employer or to cease doing business with it.

We believe that to call it a ban on "hot cargo" is a complete misnomer.

This provision goes far beyond any ban on hot cargo. It is actually aimed at the heart of the labor movement. The core of any hot cargo or picket line provision is the agreement that no employee shall be discharged or disciplined for refusing to go through a picket line or refusing to handle unfair goods as a matter of individual choice. However, this ordinary picket line clause,

which, as I have said, prohibits the disciplining of employees of a common carrier, certainly may be construed to be an implied agreement that the carrier will not do business with an employer who is being picketed, or will not handle or transport goods of another employer, if such goods have been declared unfair. For if a common carrier gives up its right to compel its employees to go through a picket line, or compel its employers to handle or transport unfair goods, and if it cannot otherwise discharge its obligations, then certainly it has agreed not to do business with another employer.

This same result would flow if a common carrier grants permission to its employees not to cross a picket line. Because of the giving of such permission, the carrier's failure again to discharge the employees may well be considered an implied agreement on the carrier's part not to do business with the struck employer.

Even if the employees of a common carrier were not sent to or through a picket line, such employees would still be required to break strikes by handling and transporting the unfair goods at points away from the picket line and away from the strike-bound plant. Thus nonunion cartage companies, the trucks of the struck employer, driven by scabs or supervisors, will either transport goods from the plant to the common carrier's dock or to an agreed upon meeting place or pick up goods at the dock of union common carriers to take into the plant.

Today, the union truckdriver and dockworker can refuse to assist in these strikebreaking tactics by refusing to handle such goods away from the strike-bound plant.

Under this law, of course, it is clear that the law even more directly prohibits contracts under which common carriers would agree not to transport goods to or from strike-bound plants or agree not to transport unfair goods or agree not to interline with nonunion truck companies.

It is obvious that the total result of these restrictions on picket line and "hot cargo" contracts is to make the employees of common carrier strikebreakers in every conceivable situation.

Also, the law is applicable in a number of less obvious situations.

For example, it would prohibit a union from agreeing with an employer that only unions and garments with union labels shall be used, since this would be an agreement by the carrier not to use nonunion goods, which are the product of another employer, and not to do business with nonunion garment companies for the same reason a union could not agree with a common carrier that only union-made truck parts and other automotive supplies should be used.

It could not agree with a common carrier that only union labor shall construct its terminals or service its terminals.

Any discharging clause in a contract with a common carrier would be out. The Machinists Union could not enter into an agreement with a common carrier that the work which they are performing in the repair shops shall not during the life of the contract be subcontracted out to a nonunion shop. Any contract clause in which the employer recognizes the jurisdiction of a particular union and agrees not to assign those employees to do work within another jurisdiction could be, under this law, held to be an illegal "hot cargo" contract.

Now, it has been argued that this "hot cargo" ban is not as bad as it seems, because it only does that which the Taft-Hartley Act and the Interstate Commerce Act already provide.

Now, that is not true. Under both laws, a "hot cargo" contract has not been declared illegal. Under the Taft-Hartley Act, the Supreme Court said we could write such a contract, and as long as the employer voluntarily acquiesces in complying with the contract, it was valid. But we could not strike or create a work stoppage in order to enforce that contract if the employer chose to disregard his obligations. And the Interstate Commerce Commission has never said that a "hot cargo" contract was illegal.

It has deliberately refrained from passing on that, saying it was not within its competence to do so. It has, however, approved tariffs which excuse a common carrier from making deliveries where there are picket lines or labor disputes, and in each instance, what it has done is examine the particular circumstance under which the service is not being performed, and it has come to its judgment as it should under the facts of each circumstance, to determine whether or not the common carrier has abridged or violated any duties which it is required to perform under a certificate, because certainly its duties are not absolute.

Now, on organizational and recognition picketing. Again, I will turn to the Kennedy bill first, because again both Congressman BARDEN's bill and Congressman KEARNS' bill seek to achieve the same purpose but in our opinion are more restrictive even than the Kennedy bill.

Now, under the Kennedy bill it has made it an unfair practice to picket any employer, with the object of either forcing or requiring the employer to recognize or bargain with a labor organization or to force or require employees to enforce or select such labor organization.

There are certain exclusions—one, where the employer has recognized another labor organization in accordance with the law, or, two, where a valid election has been conducted during the preceding 9 months and the picketing organization has not since been selected as a majority representative.

Turning first to the recognition picketing, we agree that generally if a bona fide union has been properly selected or designated by a majority of the employees, and has entered into a bona fide contract, there should be no right in another organization to disturb that relationship by picketing for recognition or bargaining until a question concerning representation may be properly raised. And we are pleased to note that one of the exceptions in the act does not apply if the union which the employer has recognized is one that has been created as a result of an unfair labor practice under the act. But that requirement, in our opinion, is inadequate to meet that real problem.

We believe that this provision of the law is an open invitation to the creating of phony or company unions, or to invite dishonest unions into the picture, when a bona fide union is on strike, and/or picketing for recognition.

Let us take a typical situation. Union A represents a majority of the employees of employer X. X refuses to recognize union A. Since union A knows from past experience that X will stall indefinitely by all kinds of subterfuges, and because the Board is notoriously slow in granting relief in representation cases, unon A is compelled to strike for recognition and to picket in support of that strike.

Now comes union B, either created by the employer and a handful of employees who have not gone out on strike, or the so-called racket union, already in existence, and pirating on the good union people.

Employer X signs a contract with union B, the outside union, and immediately files a charge with the Board to restrain union A, the picketing union, from continuing at picketing, because it has recognized and is under contract with union B.

Under the proposed amendment, the Board is required to apply to the Federal district court under section 10L. It is mandatory they do so. At this point, striking union A raises the defense that union B was established by the employer in violation of section 8A. This is a defense which the law purports to give it. But as we read the bill, when the Board goes to the Federal district court for a mandatory injunction against the picketing, the union cannot raise this defense at this time. The bill is specific in saying that it is a defense to a charge, not to the 10L injunction proceedings. There is nothing in the law which would prohibit the issuance of an injunction by the Federal court.

The striking union would then have to wait the one and one half to two years that it has currently taken the Board to process complaint cases. A victory 2 years later, of course, would be meaningless. After 2 years the employer would not be too much concerned whether he won or lost. His immediate purpose with the aid of the Government would have been accomplished.

Now, another problem which arises is the status of economic strikers. It is conceivable that employees who strike for better wages and conditions may, after a short period, find the employer taking the position that the union no longer represents a majority of the employees, because he has hired a sufficient number of strikebreakers and has signed a contract with another union. The economic strike can thus be quickly converted into a strike for bargaining or recognition. The next step is to break the strike by restraining picketing, because the employer has recognized and signed a contract with another union, so that the strike is broken; and I guess the O'Sullivan Heel case is the classic example of that.

Now, much more serious a threat than the ban on recognition picketing is the one that is couched in terms of picketing to force or require an employee to accept or select a labor organization as the bargaining representative. This is a ban on so-called organizational picketing. But notice the semantic technique of referring to peaceful picketing as force.

Is it not strange that when an employer who has the working man's job firmly within his grasp advises or urges a working man not to join a union, this is merely free speech; but when a labor union exercises its right of free speech, by what the Supreme Court says is the working man's means of communication, the picket line, then they are using force and coercion?

And of course once you equate the two terms and use them interchangeably, you have accomplished what you have set out to do. Of course, everybody is against coercion. You do not have to prove it any more.

We note that at least one previous witness has not only used this semantic trap by not only substituting coercion for peaceful picketing, but has also used another type of switch. He tried to subvert the union's right of organizational picketing to an alleged assertion of an "authoritarian and paternal position to decide for employees which union, or if any union, will represent them."

The trade union movement makes no such assertion. It is true often the trade union movement is persuaded that lack of organization does not grow out of any self-determination that organization is no good. We have found over the years that more frequently than not, lack of organization does not flow from indifference, but from fear of reprisal by the employer or by other elements in the community. It also flows from the failure of the procedures of the National Labor Relations Board to provide prompt determination of representation and other issues. It may also result from the free-rider situation, in which the employer keeps pace at least with union rates, in order to discourage unionization.

In any event, picketing the place of employment of nonunion employees is motivated not so much by any missionary obligation toward the nonunion employee as it

is to protect the standards of the union employees in the same area or industry. We are organized to prevent low wage competition, and we will publicize this low wage competition as long as we can. There is no question but that we have a right and we have a need to do so.

Now, at this point, it should be observed that the Kennedy, Barden, and Kearns bills, insofar as they purport to prohibit so-called organizational picketing are also subject to the construction of prohibiting simple informational picketing designed to inform the public that the nonunion employees at a particular place of employment are working for substandard conditions which endanger the wages and conditions of union members or perhaps in protest of unfair labor practices committed by the employer.

The question of what is the object or purpose of particular activities is always a difficult one to answer. Informational picketing may have as its principal or sole purpose the communication of facts to the public in the hope of persuading the public not to give its business to the nonunion establishment. It may also have other effects and may be accompanied by other hopes. Deliveries may or may not be made through the picket line. Other persons sympathetic to the union's cause may stop doing business with the nonunion establishment, or with the nonunion employees. The nonunion employees may decide to join the union. The employer may urge them to join, as he has a right to do.

So even after certification, or if there has been an election with no certification, informational picketing certainly performs a useful and a valid and a legal function.

Now, in the sorting out of all these hopes and results, who is to say whether the picketing is informational, organizational, or representational? Yet it is clear that purely informational picketing is protected by the decisions of the U.S. Supreme Court.

So we say that these purported bans on recognition picketing and organizational picketing directly intrude upon basic rights in a primary dispute.

Finally, in connection with this entire subject of the secondary boycott, recognition picketing, and organizational picketing, we challenge the assertion that limiting these traditional, peaceful, legal, and morally justifiable activities bear any reasonable and immediate relationship to the task of eliminating gangsterism, racketeering, or corruption in the labor movement.

We feel that in the 250 days of testimony before the Senate committee, covering some 40,000 pages of transcript, relating to the activities of over 70,000 local unions, having approximately 15 million members, the instances of use of the picket line or so-called secondary boycott for corrupt, unlawful purposes are so insignificant as to be practically nonexistent.

A few improper instances were recorded. Each such instance was remediable by State or Federal law. A fair appraisal of the testimony does not in our opinion support any claim that the alleged abuses grow out of peaceful picketing and boycott activities.

The testimony of alleged improper picketing and boycotting was not in the context of racketeering or corruption. It was in the context of allegedly unfair use of economic power. It is precisely to that area that debate should be confined. It is decidedly unfair, in our opinion, to play upon the assertions of immorality and dishonesty for the purpose of advancing legislation which should and must be evaluated only in the light of established national policy relating to free collective bargaining. The very fact that some of the proponents of these restrictions on organizational strike activities of labor unions choose to mask their motives by arguing that such restrictions are necessary to cut racketeering or corruption demonstrates their recognition that they cannot win their argument on the merits.

We say they cannot win their argument on the merits, because the real thrust of the argument is that labor unions must be weakened. If they were completely frank, if they were completely honest, the National Association of Manufacturers, the U.S. Chamber of Commerce, would come in here and say to you: "Unions have become too effective. They are doing the economic job for which they were organized. They are eliminating wage competition. This is hurting us. Therefore, since we cannot, at this point in history at least, hit them headon, let's skirmish around the edges. Let's start to eliminate the peaceful traditional methods by which they extend the organization or by which they defend what they have. Once we do that, the rest will be easy."

But of course such an approach could never be sold to the majority of the Congress nor to the people of the country. And that is why we have this oblique approach.

That, gentlemen, is our presentation on the question of the boycott and picketing. Mr. Zagri will now take over on the problems relating to internal matters.

Thank you.

Mr. ZAGRI. For the record, my name is Sidney Zagri, Z-a-g-r-i. I am legislative representative for the International Brotherhood of Teamsters. I have been a member of the Wisconsin Bar since 1941. I have practiced law as a member of the staff of the National Labor Relations Board, the War Labor Board, and as a member of the law firm of Gilbert & Zagri, and for the past 4½ years I have been both community action director for the Teamsters in St. Louis and public relations counsel for the International Brotherhood of Teamsters, and in this connection I have had extensive experience in relation to the internal affairs and operations of at least 22 local labor unions in the St. Louis area. So I feel that I can talk with some degree of confidence with reference to democracy as it exists in the Teamsters' locals in our area, and I think I can talk with some degree of authority on the general question that this particular legislation deals with.

I would like to also say that I am speaking for the officers and the executive board of the International Brotherhood of Teamsters. They are on record supporting the position we are taking here this morning; and also the executive board of 44 joint councils of the International Brotherhood of Teamsters, who have also taken action on this problem.

I would also like to state for the record that we are for legislation in this area of labor reform. We are for a bill. We are for the purported objectives of the Kennedy, the Barden, the Kearns bills. We are for reporting a disclosure. We are for a regulation of the conflicts of interest. We are for a regulation of removal election of officers. We are for regulation of trusteeships, and we are for reasonable enforcement machinery which will be necessary to achieve these objectives.

Now, our difference—and I think the basic issue is the approach to the attainment of these objectives, gentlemen—I think the basic difference is whether or not we should achieve these objectives through governmental top-down control, regulation of the internal affairs, where the Secretary of Labor becomes the principal officer of every labor union in America, or whether the approach is a top-bottom approach which will, through legislation, if you please, implement the democratic procedure so that the rank and file members of our trade union movement can more effectively, through democratic action, realize the legitimate aspirations of the labor movement. And I think it is with reference to the means applied that our discussion this morning is concerned.

I think the top-down regulatory approach by Government is a basic departure from our national policy and certainly from our national labor policy. It was proposed at the time of Taft-Hartley in 1957, and it was rejected. It was something that was relegated for experimentation to the State level. If you gentlemen, if the Members of Congress, should adopt the regulation by Government of the detailed minute internal affairs of a labor union, beyond the general area of reporting and disclosure, which we have today under Taft-Hartley, and beyond the area of simply implementing democratic procedures, we are then establishing a precedent which at least the Congress should be aware of, because this would be the first time that the Congress would have entered onto a new basic policy with reference to basic autonomous organizations in this country.

I think that today it could be labor; tomorrow it could be business. Tomorrow you may have legislation calling for not the regulation of the relationship of members to officers in a union, but regulation of the relationship between stockholders and the corporation.

You may have legislation under a different Congress saying that the member who has one share of General Motors stock can go to the Secretary of Commerce and ask him to investigate the election of the board of directors. You may have a situation where Congress may be asked to pass laws regulating the businesses of this country so that they would have to vote—the stockholders would have to vote—whether or not the union contract should be accepted, whether or not a lockout should be used in a labor dispute, whether or not the contract should be accepted in preference to a strike situation.

It is conceivable, gentlemen, that these things which today are being proposed for the internal affairs of labor unions could be applied to business tomorrow. Just as we have the O'Mahoney bill before Congress today. It is true its initial step is simply to call hearings for the investigation of the ingredients of a price, what composes a reasonable price. Tomorrow it may lead to price fixing. And the day after tomorrow, it may lead to the fixing of wage rates.

I say, gentlemen, when you buy this approach you are going down the road of creeping totalitarianism. I say that what can be done to labor today can be done to business tomorrow. And this is the history. We need only go to Germany, to the totalitarian countries of Europe, and that will show that it was first that labor was incorporated and regulated, and then business was incorporated and regulated.

If the Congress is prepared to buy this approach, that is your business. But at least, I would like to make it clear for the record that this is the approach that you are being asked to buy, by the three bills before you.

Now, with reference to the specific segments of the bill, let me first take up the question of the bill of rights. We are for a bill of rights. We are for the Ten Commandments. We are for the Bill of Rights in our Federal Constitution. I think it has been a bulwark against oppression. It has been a preserver of our liberties. We certainly are for a bill of rights for labor or for any group in our society in the application of these principles.

But when we have a bill of rights in our Federal Constitution, Congress is not asked to codify the thousands of court decisions which enunciate the meaning of this Bill of Rights in terms of due process, because this would be an impossible task. And I think that by the same token, when we try to codify a bill of rights in terms of what

we may have, in terms of thousands and thousands of union constitutions—or may not have in some, and we may have in greater degree in others and in lesser degree in some—but once we would attempt to codify it we would run into essentially the same problem that Congress would be faced with in trying to codify a bill of rights beyond that which we now have in our Constitution.

And I think that the problem we face in any codificiation of a bill of rights is that if it is too broad, we run into the question of violating litigation and entrapping the innocent; because in advance of interpretation, a union officer really does not know what his rights are.

And where you have criminal penalities, such entrapment can be serious, and certainly would be contrary to our basic concept of justice.

Now, if it is too specific, if it is too tight, it can become a straitjacket and become oppressive and negate the very thing that you are trying to accomplish.

And I would like to just briefly discuss the proposals in the Kennedy bill and relate them to the Kearns bill and the Barden bill. And at this stage, I would like to say that Congressman BARDEN has made a distinct contribution in raising this question, because I think that as a principle it should be incorporated in every union constitution in this country. And later in this testimony, we will propose a bill of rights which we think is workable.

Our quarrel is not with the intent. Our quarrel is primarily with the problems that codification creates.

Now, on the problem of equal rights: We see that the Barden bill refers to equal rights to union membership subject "to qualifications uniformly prescribed."

The Kennedy bill defines this or spells it out in more detail and says the right shall be equal to nominate candidates, to vote, to attend membership meetings, to attend and participate in business in such meetings.

Now, in the Barden bill, what qualifications are uniformly imposed? If it is what the American Civil Liberties Union bill provided, it would call for the prohibition of any labor organization from refusing membership or segregating any person on the grounds of race, religion, or citizenship.

We in the Teamsters have a national policy on integration. But we do not think Congress should pass laws in this area. We think this should be evolved in terms of the particular customs and needs at the local level. And I say when you try to pass a law which will cover all situations, you are creating unnecessary rigidity.

Now, the Kennedy bill states that every member shall have the right to attend and to participate in the deliberations of the business of such membership meeting. What constitutes a membership meeting? In some local unions, the entire local may meet in a membership meeting, that is, if it is small enough to do so. In our local in St. Louis, we have 10,000 members. We have approximately 87 or 88 union meetings a month. Now, does it mean that before the contract for the grocery meeting, for example, can be approved, there must be an entire membership meeting of the 10,000 members to approve that contract? Does it mean that warehouse workers must approve contracts for office workers? Does it mean that production workers must approve contracts of maintenance workers?

Yet there is no provision in the law for such reasonable classification.

Now it is true that the law says "subject to certain reasonable rules and regulations." However, this is a question for interpretation of what is a reasonable rule or regulation.

It may be the regulation that only the members of a given unit shall vote on a contract may be considered a reasonable rule, or shall be permitted to vote on a strike may be considered a reasonable rule. But a court may find that since the entire union will contribute toward strike benefits, it therefore would be unreasonable to deny them the right to vote on the question of the strike, even though it affects directly only the members of a given unit. And both interpretations would be reasonable. And under this law, this interpretation of what is reasonable would be subject to 49 State courts, and now 50 State courts, and also the Federal courts. There could be conflicting interpretations.

It seems to me that we are inviting unnecessary litigation. And under these circumstances, especially where we have criminal penalties, we are unduly harassing and being punitive, even though this may not be the intent. This is the intent, gentlemen.

On the question of free speech: We have free speech and assembly. The problem in the Kennedy bill, the problem in the Barden bill, is the question of stating free speech in absolute terms; because in the Kennedy bill you have the right of free speech stated so that it is guaranteed in or off the job. In other words, the first part of the clause refers to an absolute right of free speech; the second with reference to matters before the union meeting.

You gentlemen have already heard testimony that this type of interpretation would create chaos, because it would leave the employer in a position where he could not discipline an employee, for example, who called a wildcat strike. And the union members could not discipline this employee, without running the risk of interfering with his right under the act.

I say that again this type of legislation unnecessarily restricts, unnecessarily straitjackets, both the employer and the union in trying to maintain what we today have, good collective bargaining relationships. This would create opportunities for troublemakers, just to unbalance the good relationships which have developed under the years and under the Wagner Act and Taft-Hartley. I think you gentlemen should consider very carefully any legislation which will tend to unbalance the sound collective bargaining relationships which presently exist between labor and management.

And yet when we establish absolute rights of this type, we are legislating anarchy in certain situations, we are legislating absolutes, without permitting the union or the employer to defend himself or to defend itself from conditions which it should be able to defend under existing union laws and under existing collective bargaining contracts.

You will notice that under section 607B, the thrust of the imposition is not against the union leader alone; it is against any person who interferes. This would apply to the employer, and he would be subject to a 2-year term in jail if he interfered with the right of free speech of an individual who called, say, for a wildcat strike during the noon hour, whether it actually went into effect or not. He would not have the power of discipline.

Now, the problem of membership lists: I think that this requirement is one that is open to great exploitation. It is something that rackets could develop from—selling membership lists to credit firms. If you were in my position, gentlemen, you would know that a number of times a day I turn down people who come in and want our membership lists so that they can mail them some literature, to mail them some crackpot scheme, involve them in some type of installment program. This is the kind of thing you are opening a door to. And also it can be used, be sold or diverted, to subversive groups, to racketeer groups, to rival unions, and it could be used for unstabilizing good stable relationships. In other words, the legitimate use of the list is not denied today, but the illegitimate use could not be prevented once it is put into law.

Now, the question of freedom from arbitrary financial examinations. The only real problem there is where an international union must call a special convention before it may raise dues or assessments.

It seems to me that this is really imposing unnecessary rigidity upon an international union. If an emergency situation requires an increase in assessments, or the levying of assessments, or the increase of dues, it seems to me this is the kind of thing that a convention should be permitted to delegate to the executive board of a union. Under this law, this would not be possible.

And under the Barden bill, this increase could not take place in a local union unless a majority of the eligible members voted for this increase.

Now, if you had to get a majority of the eligible members to vote for a bond issue in your home town, you know you would never get a bond issue; because you would never even get a majority out to vote, let alone a majority of eligible members to pass the bond issue. The same would be true in many other circumstances. It seems to me that we are setting a standard here that is not realistic in terms of our experience in other areas, where democracy functions. And why should we expect a standard which is separate and apart from that which we apply and find in operation in the rest of our society to apply in this particular situation of a labor union?

The question of the protection of the right to sue: Both the Kennedy and the Kearns bill prohibit the right of the union to interfere with the right of the member to bring an administrative or court action. The purpose of this may be a good one. But the whole concept here is a very unrealistic one. It is true that under the Kennedy bill, and I think the Kearns bill, too, there is a 6-month limitation as far as bringing the problem through the internal machinery of the union is concerned. I do not think there is such a limitation in the Barden bill. But this would only apply to matters which were internal in character. This would not apply to such things as collective bargaining machinery.

In other words, it would be perfectly possible for a member to go to court on a matter which, under the collective bargaining contract, he should take up as a grievance, under the grievance machinery. And this would destroy existing collective bargaining machinery, which could be destructive to management just as much as to labor. In fact, I think that every blow at labor here is a blow at management.

Now, as far as the 6-month period on the exhaustion of internal remedies is concerned, in some cases it may be enough and in others it may not be. But why impose this arbitrary limitation?

Now, we notice that on the question of the safeguards against improper disciplinary action, all bills require proper notice for specific charges and a full and fair hearing. Now, the Kearns bill and the Kennedy bill are very general. And here we have the vice of generality, because we do not know what a full and fair hearing means until it is tested in the courts. The Barden bill, on the other hand, is very specific. It states 18 different steps, which I think go even beyond the Administrative Procedures Act or the Federal Code of Civil Procedures; which is excellent and a good expression of the bill-of-rights concept as it applies to government, gentlemen. But how can we realistically expect it to apply to truckdrivers or warehousemen who may have had a fourth- or fifth-grade education? And there may be certain instances where the particular question of discipline involves a very small thing,

possibly a $10 fine, a breach of decorum. And yet are we to feel that in each instance there must be a transcript of record? It seems to me this is imposing costs which labor unions are not prepared to meet, especially small ones.

And the question of appeals, the question of peremptory challenge: I can see the point of peremptory challenges in a jury trial. But when you say six automatic peremptory challenges of the hearing board—it seems to me you are going to eliminate the executive board before you start. And then challenge for cause. And then anyone who may have an interest in the matter is disqualified. Well, I cannot see how a question of, say, violating one of the basic principles of a union constitution could—where you could ever find a board where they did not have an interest in the matter. It is a question of interpretation.

Or if the individual decides he cannot get a fair shake, because he feels someone has an interest, he can then insist on an outside board. Now, this is asking the union to shift its basic responsibility to an outside agency. Would the Congress, say, let the Senate pass on the seating of the Members of the House of Representatives? Or would the Senate, say, let the Supreme Court pass on the question of seating the Members of the Senate? Or would the local medical society go for a letter which would say, "Let the local board of chiropractors pass on whether certain members shall be seated in the local medical society"?

Yet that is what we say when we are saying by law that the members of a local labor union shall be divested of their rights to determine whether or not a person shall be expelled from a local labor union. And it seems to me that we are going too far here in making such a requirement.

Now, on the question of the authorization of strikes under the Kearns bill, this is listed as one of the basic rights in the Kearns bill, and I would like to make a brief comment.

There you have the limitation that a strike vote must be taken by a majority, by a majority present, within 7 days before a strike takes place. And I think the purpose of this, of course, is to curtail strikes. But, gentlemen, from my experience, I can tell you it would have just the opposite purpose; because when a strike vote is taken under the Barden bill, it would be 30 days.

There are strike votes taken, and the right is delegated to the bargaining committee to use it or not to use it in the course of the negotiations. Oftentimes it is used for bargaining purposes. This is just a matter of flexing muscles. But if there was a limitation of 7 days, then the bargaining committee realizes that it is going to have to use it within 7 days or lose it. So what you are really doing is encouraging them to use the right that has been given them, which they ordinarily might inhibit and set in the background. So I do not think you are accomplishing the objective that that particular section seems to desire.

The question of civil and criminal penalties under the bill of rights—and I will just take a moment on that, and then we will go on to the other parts of the bill—the question here of criminal penalties, I think, not only verges on the punitive but is punitive. I think that in an area as uncharted as this area is, in an area as new as this area is, in an area where we are dealing with relatively uneducated men, with reference to an area where even lawyers could not tell them in advance what their rights are, we are going much too far in imposing criminal penalties. If a chairman of a meeting decides that he cannot throw out a man who was out of order, we have rules of order in our constitution that set forth—like the "Robert's Rules of Order"—the particular things that shall govern a meeting, protecting the rights of the individual's free speech and the rights of the group, so that no one can monopolize the meeting but no one is denied a right of expression.

Yet under this bill, a chairman would be reluctant to sit anyone down for fear if he were, say, talking for an hour, he may be subject to a 2-year jail sentence. And this could lead to anarchy. This could lead to minorities taking over unions. Is this the kind of thing that we want to encourage? The basic powers of discipline in the office—delegated to the officers of a union, are just as important as the basic rights of democracy vested in the membership. Both must be preserved. And I think this should be our objective.

Now, in terms of the civil remedies here, a person can go to court if his rights have been denied. Yet there is no limitation in terms of retroactivity. I think there should be some limitation, if we are going to pass any legislation in this field, on causes of action arising after the enactment of this act. And there ought to be some statute of limitations of causes of action, possibly 2 years, so that stale actions cannot be brought up.

In other words, the same type of principle we would apply with reference to actions brought in other cases should apply here.

So, at this time, gentlemen, I would like to propose our bill of rights as an alternative, because I think that we should have a bill of rights in this field. And, incidentally, in each area where we have an objection, we also have a constructive alternative. We are not going to object and not recommend something in its place.

Now, I am not going to read our proposal in detail. I am going to insert it in the record. We have attempted to incorporate the basic rights in the Barden bill and in the Kearns bill and in the Kennedy bill.

As a matter of principle, like one, rules of order for the conduct of conventions, we require that these basic rights which protect the basic democratic rights of free speech and vote and assemblage and all the things that we are talking about, must be incorporated into the constitution and bylaws or other basic documents of every labor organization of this country. That is No. 1.

Mr. WIER. Have you got those proposals of yours included in your presentation?

Mr. ZAGRI. Yes.

Now, No. 2, we are not going to simply incorporate these in the constitution and leave it there as an empty right. We are proposing that any member who feels aggrieved, who feels that his rights have been violated, under the bill of rights, in his constitution, shall have the right to go to the U.S. Conciliation and Mediation Service, and have the right to have an officer of the U.S. Conciliation Service to mediate his right with the officers of the union. And if, after he has done this—and I think in 95 percent of the cases these things can be worked out, after there has been a hearing and an attempt to resolve the differences—he still can go to court, as he can today, and as he could under the Barden bill, the Kearns bill, and the Kennedy bill.

So, I feel that we are giving the individual here an additional right that is not incorporated in any of the additional proposals, and we are approaching this, I think, in a sensible way, because we are entering a new field. And I think after 2 years' experience, we can then look at the evidence and see the number of complaints that occur, the number of cases that came before the Department of Conciliation and Mediation. And on the basis of this experience, this particular amendment calls for a report to Congress, so that Congress then will have facts before it and can make a more intelligent decision than it can today.

But let us not rush into this, gentlemen. This is a new field. It is an uncharted field. And I agree with Congressman KEARNS that the approach in this field should not be the punitive one in terms of criminal penalties. Insofar as he says it should be in the direction of cease and desist orders, unfair labor practices, I think this is on the right track. But I do not think we have to make that decision in this bill. Let us first try conciliation and mediation and see how that works out, before we take this basic right of settling the affairs within labor's own house away from it.

Let us retain that basic right, let us use the process of conciliation and mediation, first, and see what the results are, before more drastic steps are taken.

I apologize to my colleagues for having taken so much time, but since this is a matter of grave concern to the citizens of the United States, I felt compelled to put into the RECORD proof positive that all labor is not opposed to all legislation.

We have had a few people make outright assertions that they are opposed to any legislation. Counted amongst these persons are men who cannot be questioned as to their sincerity, honesty, and purposes for opposition. It appears to me that to any legislation by John L. Lewis and Joseph Curran, of the Maritime Union, was based on a well-grounded fear that this Congress would not be able to pass legislation at this time because of the exposures and publicity given to the months and months of hearings before the McClellan committee. I sincerely believe that in a calmer atmosphere, these men and others would be more than willing to cooperate in the desire to pass remedial and corrective measures. At no time, however, have these labor leaders or any other persons expressed opposition to legislation aimed at ridding the labor movement of self-serving, unscrupulous, and unsavory characters.

All of us recognize that there are instances of misbehavior in both management and labor and that our job is to act in behalf of all the people, and in so doing, we must be careful in not weighting the scales in this economic struggle on either the side of labor or management. This is a presentation to give you a look at the other side.

INDIAN SELF-HELP BILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from South Dakota [Mr. BERRY] is recognized for 15 minutes.

Mr. BERRY. Mr. Speaker, I am today filing what I believe is one of the most important proposals on Indian legislation that has been introduced in this Congress in a long time.

It is an Indian self-help bill, patterned after Operation Bootstrap which has been so successful in Puerto Rico. Under unanimous consent, I include in the RECORD a synopsis of the provisions of the bill and a synopsis of Operation Bootstrap as it has functioned in Puerto Rico and as it can function on the Indian reservations. Also, a background of this Indian problem and a copy of the bill.

PROVISIONS OF INDIAN SELF-HELP BILL KNOWN AS OPERATION BOOTSTRAP

Authorizes the tribe upon adoption by a majority vote of tribal members to:

(1) Authorizes establishment of a corporation under Federal law or acceptance by

tribes now operating under Wheeler-Howard corporations.

(2) To take title to property in trust or fee simple where necessary to carry out the intent of this act and to transfer such property in fee simple, subject to approval by Secretary of Interior.

(3) Use tribal funds for incentive to industry, through construction of industrial buildings to be leased or sold to industry, subject to Secretarial approval.

(4) Finance such construction through Federal loan funds or through commercial channels.

(5) Execute contracts with private industry, contract for guaranteed waiver of tribal tax and negotiate with State and local governments concerning creation of further industrial incentives.

(6) Request any further delegation of authority needed from Secretary of Interior.

(7) Requires bonding of tribal officials and complete and accurate financial accounting of tribal properties and funds with annual publication of balance sheets.

(8) Provides that in the absence of State law and order jurisdiction, a court of Indian offenses shall have jurisdiction of criminal offenses not covered by Federal statute, with right of appeal to Federal court system by either party agreed, and provides that the Assimilative Crimes Act shall be applicable to all crimes against an industrial institution locating on the reservation under this act.

(9) Incentive to Industry:

(a) A deduction for 5 years from any Federal tax an amount equal to three times the annual welfare payments paid to an employee prior to employment.

(b) Waive all corporate taxes for a period of 10 years.

(c) Authorize such industries to amortize property eligible for depreciation under Internal Revenue Code, on a 5-year depreciation schedule.

(d) Directs the Secretary to make available existing trades training and on-the-job training to Indians accepting such employment.

(e) Authorizes Secretary to lease at nominal cost or transfer to interested industrial firms any surplus lands and improvements under his jurisdiction.

(f) Authorizes Secretary to provide matching funds to be used in conjunction with tribal funds for industrial use, when rental over a 15-year period equals the original investment.

OPERATION BOOTSTRAP FOR THE INDIAN PEOPLE

Experience has proven that the solution to the Indian problem lies only in providing opportunity to the Indian people themselves. The individual must be unshackled from Federal regulation and controls that he may reach his own bootstraps and pull himself up.

So long as the Federal Government tried to solve the Puerto Rican problem, the situation grew steadily worse until the Puerto Ricans themselves devised a solution by bringing opportunity to the individual citizen through an industrial development program known as "Operation Bootstrap."

Under Operation Bootstrap Puerto Rican version, industry was given:

(1) Firm contracts for plant construction by the Commonwealth government which it leased or sold to the company on a long-term basis.

(2) Complete exemption from all taxes, local, commonwealth, and Federal for 10 years.

(3) Encouragement for high profits.

(4) Complete cooperation with, and full assistance to, all interested industrial organizations.

Result of Puerto Rican Operation Bootstrap: More than 600 factories put into operation created more than 80,000 new jobs, increased gross production from $287 million to $1.2 billion, average family income rose from $660 to $2,400, infant mortality rate cut in half, the life expectancy of the Puerto Rican people rose 50 percent.

Under Operation Bootstrap Indian version, industry will be given:

(1) Firm contracts for plant construction by the tribal organization to be leased or sold to the company on a long-term basis.

(2) Complete exemption from all taxes, local, State, and Federal for 10 years.

(3) Encouragement for high profits, not only through tax exemption but when Indian people are, through employment, taken from relief rolls, a deduction is given of three times the Government welfare loan for 5 years and a 5-year depreciation allowance on buildings and equipment.

(4) Complete cooperation with an assistance to all interested industrial organizations.

(5) Law enforcement through adoption of Assimilative Crimes Act insofar as the industry is concerned, and less bureaucratic regulation and control.

Background of the problem

Since the Indian immigration laws broke down and the white intruder moved in, the Indian has presented a problem to the non-Indian population.

The first problem was that of defending themselves against the Indian who objected to such intrusion. As the white settlers moved west, the Indian people were rounded up and placed in concentration camps, which in those days became known as reservations. Treaties were entered into and broken, reservations were constantly diminished in size in spite of the fact that the Indian population continued to increase.

Mistakes

Because the Indian people were found on the land, the Department of Interior established agricultural programs in an effort to teach the Indian to live from the land. Reservation areas were allotted on the basis of a quarter section to each allottee.

In the West where a quarter section was not sufficient to maintain a non-Indian family, it was not sufficient to maintain an Indian family, and, by and large, the Indians moved from their allotments into the timbered areas along rivers and streams. Houses that the Government had built on these allotted lands were gradually abandoned for log shacks in the more protected areas.

Livestock

The early livestock programs were generally quite successful when the reservations were open range, but as white settlers moved in they fenced up deeded and leased units and the program generally began to wane. Successful Indian livestock operators generally found themselves out of business and dependent upon farm employment as a means of earning a living for their families during the summer months, and depending upon relief during the winter.

With the mechanization of agriculture, farm employment decreased and fewer jobs were available.

From time to time down through the years, Congress has provided funds and the Indian Bureau has attempted to establish rehabilitation programs in the livestock industry. But successful ranching is a highly skilled business enterprise. Although most of them are required to start from scratch with no finances of their own and generally with little training, probably no more than 15 percent have been able to make a success in the cattle business.

This is exceptionally good, however, when it is considered that only 15 percent of the non-Indian people across the Nation are successful in the farming and livestock industry.

The prime problem

The thing that Congress, the Bureau of Indian Affairs, and the Nation generally have forgotten to take into consideration is that they have failed to offer any opportunity to the 85 percent who are not able to successfully make a living from the soil.

Down through the years the only other alternative was in education or some kind of trades training and then to move from the reservation to avail themselves of the trade or profession.

In 1951 or 1952 a program of relocation was instituted in which the Government offered to relocate the family into some city where there was employment, provide employment, provide living costs for the first month or two, some income security for a time, and other assistance.

It was soon discovered that because of their lack of training in industrial work and because of the drastic change in environment, a large percentage of the relocatees were returning to the only home they knew, the reservation.

In 1956 Congress passed a trades training and on-the-job training law which was intended to help bridge this gap. It provided that the head of the household and his family could attend a trades training school at Government expense. While the man learns the trade, the family lives in the non-Indian community. The mother learns how to dress the children, keep them in school, how to manage the conveniences of modern life; and, when the father has completed his trades training course, not only is he equipped to be located in a job but the family is ready to adjust into this new environment. The program has been quite successful, but the annual appropriation for the program has been seriously inadequate.

This tiny dabbling in industrial experience has been generally successful, but probably not more than 5 percent have been able to take advantage of either plan. There are still about 80 percent of the people, most of whom, because of lack of opportunity, are still dependent upon relief for a meager existence.

This is not as serious, however, as is the fact that Indian people, like non-Indians, disintegrate both physically and mentally when they have no opportunity to advance.

Law enforcement on the reservations has broken down because people have nothing productive with which to occupy their idle hands. Tax dollars that are wasted in providing a subsistence for thousands is nothing when compared with the waste of human resources.

By and large, the Indian people want work, they want opportunity, they want to improve their standard of living. All they ask is a chance, an opportunity, a self-help program that will permit them to reach down and lift themselves up by their own bootstraps.

During the WPA days of the 1930's roadbuilding, dam building, and construction was brought to the reservations. Indian boys learned to operate heavy equipment. When that work closed down, many of those boys who had learned to operate such equipment and machinery left the reservations and have since had continuous employment.

It is a serious commentary upon the American people when the only break, the only age of opportunity these people have ever had was in the depression WPA days.

Seeking a solution

It has many times been said that if one uses a crutch too long he forgets how to walk. We have forced the Indian people to use the crutch of Government relief until many have lost their desire to walk by themselves. We have attempted to give them everything except the one thing they need most, and that is opportunity.

This self-help approach is intended to provide that one thing—the opportunity to improve their own conditions.

Looking to a solution of the Indian problem through job opportunity, some of us

turned to the Caribbean where Puerto Rico has demonstrated to a watching world what can be done through imagination, human desire, and human resources when coupled with legal rights, legal authority, and legal protection, and when coupled with industrial tax inducements.

This bill follows a trail that has already been blazed in Puerto Rico—a program that has already proven successful, that has already provided employment for thousands, since the program offered sufficient inducement for industry to look toward this new area and at the same time provided contractual protection.

Operation Bootstrap in Puerto Rico

Only 16 years ago, a Senate committee investigated Puerto Rico and pronounced its problems "unsolvable." Only 13 years ago, Puerto Rico's retiring Gov. Rexford G. Tugwell, chose as the title of his book about the island, "The Stricken Land."

Today this stricken land, this island with unsolvable problems has a per capita income of $443, which is the highest in Latin America with the exception of oil-rich Venezuela. Today, it is a shining example of an experimental colonial policy through a commonwealth government that has proven it can be done with determination and opportunity, even in the short period of 13 years.

It should be added that the Indian people have the same determination—all they lack is an opportunity. The pattern of opportunity in Puerto Rico is briefly this:

Prior to the development program, Puerto Rico was an island refuge smaller than the State of Connecticut with a population of almost 2½ million people. Unemployment ran as high as one-third of the population. Gov. Luis Muñoz-Marín, then only a citizen with vision and determination, termed Puerto Rico "a factory worked by peons, fought over by lawyers, bossed by absent industrialists, and clerked by politicians." (Governor Muñoz was referring to Puerto Rico, not Indian reservations in the United States.)

At that point, Puerto Rico was an island with hungry people jamming its eroded land area—an island without oil, coal, or iron. These were the assets when Muñoz started his program of "fomento" (meaning development), a plan to free the human spirit in Puerto Rico by raising living standards above the animal level through industrialization.

The program worked. Puerto Rico has proven to the world that it can be done. Their Operation Bootstrap has been a success. It can be on the Indian reservation areas also.

Determined to industrialize, Puerto Rico offered every inducement to industry. Their program, based upon an incentive and promotional approach, has given industry the assurance of protection, profits, and guarantees.

The tools devised and marshaled for the job were: (1) tax exemption, (2) unlimited encouragement toward high profits even when based, as at first, on low wages, (3) patient coddling of the fearful and uninformed investor with every kind of assistance. Since Federal income taxes do not apply in Puerto Rico, the island Government offered an unbreakable 10-year island income tax exemption.

This was the formula for Operation Bootstrap. Coupled with courage, perspiration, and desire, the island has lifted itself by its bootstraps until today, with the program still in its infancy, Puerto Rico is an exciting, sunny, busy land of people with desire and vision—an island that has traded its morose disease-swept slums for skyscrapers, paved streets, brick dwellings, and concrete apartments.

Puerto Rico advanced when they were given local self-government, when the Congress could no longer override legislation, when their commonwealth system of Government provided protection and contractual guarantees, when they were able to offer industry firm incentives without political bickering and Federal Government vetoes, redtape, and regulation.

SUMMARY

By and large there is not an Indian reservation in America which does not have the human resources and abilities and as many natural resources as Puerto Rico. Puerto Rico forged ahead when it was unshackled from Federal regulation and control and when its people were given opportunity. The only need of the Indian people is to be unshackled from Federal regulation and control that they may with their own hands reach down and get a firm grip on their own bootstraps in order to, like their Puerto Rican neighbors, pull themselves up.

This Indian self-help bill which has been dubbed "Operation Bootstrap Reservation Style" will do exactly that. It can and will succeed if given a fair trial.

H.R. 7701

A bill to provide a program for an "Operation Bootstrap for the American Indian" in order to improve conditions among Indians on reservations and in other communities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the purpose of this Act is to bring about industrial development and economic advancement within Indian communities in order to aid in bringing Indian economic well-being more nearly to the level of the non-Indian community.

(b) This Act shall be liberally construed to authorize tribal action which will enable Indians to attract and retain new industry within Indian reservations and amongst Indian communities, to promote gainful employment of Indians, and to authorize steps to improve the lot of Indians, including self-help on the part of the Indians and Indian tribes and Indian communities, legislative and corporate action by them which will accord assurances and security to industries availing themselves of the benefits of this Act, and tribal action for self-help notwithstanding regulations or review by the Secretary of the Interior.

SEC. 2. As used in this Act—

(1) The term "tribe" means any Indian tribe, band, or other identifiable group living on one reservation or tract of trust land, and receiving direct services from the Bureau of Indian Affairs on the date of enactment of this Act.

(2) The term "Indian" means any recognized member of a tribe.

SEC. 3. None of the provisions of this Act (except section 4) shall apply with respect to any tribe until the majority of the qualified resident voters of the tribes have voted to accept the provisions of this Act in a referendum (which may be conducted in connection with regular tribal elections or in a special election called for the purpose).

SEC. 4. The Secretary of the Interior shall cause to be drafted a model corporate charter embodying the provisions and intents of this Act which shall be circulated to each tribe, whether or not the tribe has voted to accept the privileges of this Act, and whether or not the tribe is operating under a charter heretofore approved by the Secretary.

SEC. 5. (a) Any Indian tribe which has accepted the provisions of this Act may adopt an approriate constitution and bylaws, or, in the case of a tribe which already has a recognized constitution and bylaws, may adopt amendments thereto, which shall become effective, in accordance with such rules and requirements as the Secretary of the Interior may prescribe, when ratified by a majority vote of the adult members of the tribe, at a special election authorized and called by the Secretary of the Interior under such rules and regulations as he may prescribe. Any such constitution and bylaws may be revoked, in accordance with such rules and requirements as the Secretary of the Interior may prescribe, by a majority vote of the adult members of the tribe in a referendum (which may be conducted in connection with regular tribal elections or in a special election called for the purpose). Amendments to the constitution and bylaws thereafter proposed may be ratified and approved by the tribe in the same manner as is provided in this section for adoption by the tribe of the original constitution and bylaws.

(b) Upon the adoption of a constitution and bylaws, as provided in subsection (a), the tribe shall be a body corporate, with such powers as are prescribed in this Act, and to the extent not inconsistent with this Act or any other law, shall have the powers provided by such constitution and bylaws.

SEC. 6. (a) Each tribe which has accepted the provisions of this Act shall, in addition to any corporate powers which it otherwise may have or may be provided, have authority to purchase, sell, exchange, pledge, mortgage, or hypothecate property of every description, real and personal, in trust or fee status, on such conditions, if any, as to approval of the Secretary of the Interior as the tribe may provide: *Provided,* That if a tribe shall without approval of the Secretary of the Interior mortgage or sell property theretofore held in trust for it by the United States, it shall thereby waive any claim or demand it may otherwise have had against the United States arising out of the sale, exchange, pledge, mortgage, or hypothecation: *And provided further,* That except to the extent that this subsection authorizes the sale, exchange, pledge, mortgage, or hypothecation of property, without Secretarial approval, no provision of this Act shall be regarded as affecting or impairing any claim which the tribe may have against the United States.

(b) Any existing lawful debts of any tribe which has accepted the provisions of this Act shall continue in force, except as such debts may be satisfied or canceled pursuant to law.

(c) The individually owned property of members of any tribe shall not be subject to any corporate debts or liabilities of the tribe without the owner's consent.

(d) The officers of each tribe which has accepted the provisions of this Act shall maintain accurate and complete public accounts of the financial affairs which shall clearly show all credits, debts, pledges, and assignments, and shall furnish an annual balance sheet and report of financial affairs to the Secretary of the Interior. A summary of the balance sheet shall be published in a local paper of general distribution within the area of said community or reservation, within thirty days of compilation.

(e) Each tribe which has accepted the provisions of this Act shall have the following corporate powers, in addition to any corporate powers which it otherwise may have or may be provided:

(1) To appropriate and use any tribal moneys (including those held in trust) as an incentive to the location of new private industry on the reservation occupied by the tribe;

(2) To negotiate and execute contracts with private industry, Federal, State, and local governments;

(3) To extend to new private industry on the reservation occupied by the tribe a binding waiver of tribal taxes for a period which may not, without extension, exceed fifteen years;

(4) To borrow money from any commercial organization or from established programs of the Federal Government, and if de-

sired, to place tribal properties, real and personal, in trust or fee status, as collateral;

(5) To deposit corporate funds, from whatever source derived, in any national or state bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation, or by a surety bond, or other security;

(6) To pledge or assign (for periods not to exceed ten years) chattels or future tribal income due or to become due;

(7) To lend funds from the tribal treasury to any new industrial organization locating on the reservation, or for expansion of private industry operating on the reservation, where such location or expansion will further the economic well-being of the members of the tribe;

(8) to exercise such further incidental powers not inconsistent with law as may be necessary for the conduct of corporate business. The Secretary of the Interior may delegate to such tribe, upon request, such authority as may be needed for the purposes of this Act.

(f) Before any per capita distribution is made by any tribe which has accepted the provision of this Act to its members, not less than sixty days' advance notice must be given to the Secretary of the Interior, who may prohibit such distribution to the extent that he determines, and so notifies the tribe before the expiration of such sixty days, that the sums set aside for per capita payments do not represent income over that necessary to defray corporate obligations to members or other persons; to establish an adequate reserve fund; to construct necessary public works; to cover the costs of public enterprises; to pay the expenses of tribal government; or for other necessary corporate needs. Such notice by the Secretary shall be fully documented to show the tribe why approval was not given.

(g) Any tribe or Indian community which has accepted the provisions of this Act may sue and be sued in courts of competent jurisdiction, State and Federal, in the United States.

(h) All officers of any tribe which has accepted the provisions of this Act, who shall have responsibility for handling money, shall be bonded in such amounts as the Secretary of the Interior may from time to time determine.

(i) In the case of fraud, or overreaching by or through officials of any tribe which has accepted the provisions of this Act, where such fraud or overreaching is at the expense of individual members or the membership of a tribe at large, the Secretary shall have full rights of investigation and review, including authority to set aside any such action, and including the right to seek assistance of courts of competent jurisdiction to that end.

SEC. 7. (a) Any person, firm, corporation, or other business association which hereafter establishes a new industry on any reservation (hereafter referred to as the "investor") shall qualify for the incentives provided by this section, unless the establishment of such new industry is a device whereby operations of an existing industry are transferred from the Indian or non-Indian areas; however, the investor shall not qualify for such incentives for any period during which less than half of the employees of such industry employed on the reservation are Indians.

(b) No tax shall be imposed by chapter 1 of the Internal Revenue Code of 1954 on the income of any investor qualified for the incentives provided by this section, to the extent that such income is attributable to the operation of a new industry established on the reservation, for the ten taxable years ending immediately after such investor first qualifies for the incentives provided by this section.

(c) In the case of any capital investment made by any investor qualified for the incentives provided by this section in any new industry on a reservation, the basis of the property of such investor in such industry shall, for purposes of the Internal Revenue Code of 1954, at the election of the investor, be whichever is the higher, its fair market value at the end of the tenth taxable year after such investor first qualifies for the incentives provided by this section, or its cost. In addition, at the election of the investor, the deduction for depreciation allowed with respect to such property under chapter 1 of such Code may, for the eleventh through the fifteenth taxable year after such investor first qualifies for the incentives provided by this section, be computed at the rate of 20 per centum of the basis of such property.

(d) Where any member of a tribe who is receiving welfare income at the time he is employed in a new industry on a reservation by any investor who has qualified for the incentives provided by this section remains continuously employed in such industry during any taxable year, the investor shall be allowed a deduction from gross income, for the purposes of the Internal Revenue Code of 1954, in addition to any other deductions otherwise allowable, for the first five taxable years beginning after the tenth taxable year after the investor first qualifies for the incentives provided by this section, during any of which such member of the tribe remains continuously employed. Such deduction, for each year in which allowable, shall equal thirty-six times the monthly welfare payment being made to such member of a tribe at the time he was first employed.

SEC. 8. (a) The Secretary of the Interior shall provide services to Indians under the various programs now in operation, including adult education and vocational training, on a priority basis with the view toward cooperating in the training of employable Indians for positions in industries availing themselves of this Act.

(b) The Secretary is authorized to lease for rentals, which may range from a fair market rental downward to nominal or no rentals, depending on the attraction of industry, any surplus or excess Federal lands (including improvements) under his jurisdiction.

(c) The Secretary is authorized in his discretion, to lend Federal funds to be used in conjunction with tribal funds in such ratio as the Secretary may prescribe for construction of buildings and other facilities for investors seeking to qualify, or already qualified for the incentives provided by section 7, but only if the rentals to be paid by the industry over a period not exceeding fifteen years equal the original investment in Federal and tribal funds, plus interest thereon at a rate of 4 per centum per annum.

SEC. 9. (a) Section 13 of title 18, United States Code, shall apply to Indians and non-Indians alike within the area set aside for any industry on a reservation established by an investor who has qualified for the incentives provided by section 7 of this Act.

(b) Chapter 53 of title 18, United States Code, is amended by adding at the end thereof the following:

"§ 1164 Bribes affecting Indians

"Whoever offers, gives, or accepts money or thing of value to, by, or at the direction of an official, agent, or employee of an Indian tribe or community with intent to influence him, or to influence some other tribal official, agent, or employee through him, in his decision or action on any question, matter, cause or proceeding pending before the tribe or any official, agent, or employee thereof, shall be fined not more than three times the amount of such money or value of such thing or imprisoned not more than three years, or both."

(c) The analysis of such chapter 53 is amended by adding at the foot thereof the following new item:

"1164 Bribes affecting Indians."

SEC. 10. (a) Where any tribe has accepted the provisions of this Act, any Indian member of such tribe who thereafter is aggrieved by any final decision of a tribal court and who has exhausted such appellate procedures as are available to him, may appeal such decision to any United States district court for the district in which the reservation on which such tribe is domiciled is located. Such appeals must be taken within one year from the date the decision of the tribal court became final, after exhaustion of administrative and other remedies.

(b) Jurisdiction is hereby conferred on the United States district courts, without regard to the amount in controversy, to render final decisions on cases appealed to them pursuant to this section. The jurisdiction of the courts under this section shall be exclusive, and decisions rendered by such courts under this section shall be final.

(c) The decisions of the tribal courts in any case appealed under this section shall be final, if supported by a preponderance of the evidence, unless contrary to law or tribal custom, as applicable. If the United States district court determines that the decision of the tribal court is not supported by a preponderance of the evidence, or is contrary to law or tribal custom, as applicable, the court shall reverse or modify the decision of the tribal court, or remand the case to the tribal court for further action, or make such other disposition of the case as may be just.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1960

Mr. KIRWAN submitted a conference report on the bill (H.R. 5915) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RILEY (at the request of Mr. McCORMACK), for today, on account of official business.

Mr. FLYNT (at the request of Mr. BROWN of Georgia), for today, on account of official business.

Mr. ZELENKO (at the request of Mr. HOLTZMAN), for the day, June 12, 1959, on account of official business.

Mr. HARMON (at the request of Mr. McCORMACK), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BAILEY, for 45 minutes, on June 15.

Mr. BERRY, for 15 minutes, today, and to revise and extend his remarks and to include a bill.

Mr. BROCK (at the request of Mr. JOHNSON of Maryland), for 10 minutes, on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL

RECORD, or to revise and extend remarks, was granted to:

Mr. SILER and to include extraneous matter.

Mr. FENTON, the remarks he made in Committee of the Whole today and to include extraneous matter.

Mr. ROGERS of Florida and to include extraneous matter.

(At the request of Mr. COLLIER, and to include extraneous matter, the following:)

Mr. QUIE.

Mr. SHORT.

Mrs. WEIS.

(At the request of Mr. JOHNSON of Maryland, and to include extraneous matter, the following:)

Mr. DENT.

Mr. FOLEY.

ADJOURNMENT

Mr. JOHNSON of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until Monday, June 15, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1090. A letter from the Assistant Secretary of Agriculture, transmitting the report on the State agricultural experiment stations for 1958, pursuant to section 7 of the Hatch Act, as amended, approved August 11, 1955 (69 Stat. 671); to the Committee on Agriculture.

1091. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation entitled "A bill to amend the Foreign Service Act of 1946, as amended, and for other purposes"; to the Committee on Foreign Affairs.

1092. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

1093. A letter from the Chairman, Federal Communications Commission, transmitting the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of April 30, 1959, pursuant to section 5(e) of the Communications Act as amended July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

1094. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation entitled "A bill to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended"; to the Committee on Foreign Affairs.

1095. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation entitled "A bill to repeal section 12 of the act of June 26, 1884, prohibiting a charge or collection of fees by consular officers for official services to American vessels and seamen, and to repeal the provision in the act of June 4, 1920, authorizing the free issuance of passports to seamen"; to the Committee on Foreign Affairs.

1096. A letter from the Postmaster General, transmitting the cost ascertainment report of the Post Office Department for the fiscal year 1958, pursuant to section 826, title 39, United States Code; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. H.R. 6263. A bill to amend the Employment Act of 1946 to provide for its more effective administration, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability; without amendment (Rept. No. 539). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 7062. A bill to provide for payment of annuities to widows and dependent children of Comptrollers General; with amendment (Rept. No. 540). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 7634. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; without amendment (Rept. No. 541). Referred to the Committee of the Whole House on the State of the Union.

Mr. SAUND: Committee on Foreign Affairs. House Concurrent Resolution 188. Concurrent resolution expressing the sense of Congress desiring freedom of speech and freedom of press in countries receiving mutual security aid; with amendment (Rept. No. 542). Referred to the House Calendar.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 4538. A bill authorizing El Paso County, Tex., to construct, maintain, and operate a bridge across the Rio Grande at or near the city of El Paso, Tex.; without amendment (Rept. No. 543). Referred to the House Calendar.

Mr. KIRWAN: Committee of conference. H.R. 5915. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1960, and for other purposes; without amendment (Rept. No. 545). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. H.R. 3117. A bill for the relief of Albert J. Hicks; with amendment (Rept. No. 544). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 7700. A bill to prohibit the shipment in interstate commerce of certain plastic bags, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Mr. BERRY:

H.R. 7701. A bill to provide a program for an Operation Bootstrap for the American Indian in order to improve conditions among Indians on reservations and in other communities, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FORAND:

H.R. 7702. A bill to provide that the Secretary of the Interior acquire certain real property situated in Newport, R.I., for national park purposes; to the Committee on Interior and Insular Affairs.

By Mr. LAFORE:

H.R. 7703. A bill to liberalize the tariff laws for works of art and other exhibition material, and for other purposes; to the Committee on Ways and Means.

By Mr. McDOWELL:

H.R. 7704. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

H.R. 7705. A bill to amend chapter 27 of title 35 of the United States Code with respect to the rights of the United States in certain patents arising out of research and development contracts with the United States; to the Committee on the Judiciary.

H.R. 7706. A bill to amend the Internal Revenue Code of 1954 so as to provide further incentive for assistance to small business concerns by small business investment companies operating under the Small Business Investment Act of 1958; to the Committee on Ways and Means.

By Mr. CLEM MILLER:

H.R. 7707. A bill to amend the Internal Revenue Code of 1954 to provide an exclusion from income in the case of amounts withheld from retired pay of members of the uniformed services pursuant to chapter 73 of title 10, United States Code; to the Committee on Ways and Means.

By Mr. MOULDER:

H.R. 7708. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 7709. A bill to amend the act of July 27, 1956, with respect to the detention of mail for temporary periods in the public interest, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Iowa:

H.R. 7710. A bill to amend the Agricultural Adjustment Act of 1938 to provide a program of acreage allotments and price supports for feed grains, and for other purposes; to the Committee on Agriculture.

By Mr. DANIELS:

H.R. 7711. A bill to amend the act of July 27, 1956, with respect to the detention of mail for temporary periods in the public interest, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MORRISON:

H.R. 7712. A bill to provide a health benefits program for Government employees; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Colorado:

H.R. 7713. A bill to amend title 28, United States Code, with respect to fees of U.S. marshals, and for other purposes; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 7714. A bill to define, regulate, and license television service contractors, service dealers, television technicians and television apprentices; to protect the public against abuse and fraud in the installation, maintenance, repair, replacement, testing, inspection and modification of television and radio-television receiving apparatus; and for other purposes; to the Committee on the District of Columbia.

By Mr. KOWALSKI:

H.R. 7715. A bill to provide that the several States shall not impose taxes in respect of

income derived from certain interstate activities; to the Committee on Ways and Means.

By Mr. MONAGAN:

H. Res. 297. Resolution to create a select committee to be composed of seven Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. FORAND: Memorial of the Rhode Island General Assembly, memorializing Congress and the President of the United States of America to reexamine the merits of the farm support program with a view to aid the consumer and eliminate wasteful and expensive farm surpluses and urging $50,000 ceiling on price support benefits; to the Committee on Agriculture.

Also, memorial of the Rhode Island General Assembly memorializing Congress with respect to incorporating Newport's historic and scenic cliff walk in the National Park System; to the Committee on Interior and Insular Affairs.

Also, memorial of the Rhode Island General Assembly memorializing the Congress of the United States to disapprove H.R. 6432, a bill to modernize the pension programs for certain veterans and their dependents; to the Committee on Veterans' Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Maryland, memorializing the President and the Congress of the United States relative to urging favorable action on Senate bill 910; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to enact legislation relative to the fourth preference quota; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LIBONATI:

H.R. 7716. A bill to provide for the remuneration of artistic services rendered by Trygve A. Rovelstad in the creation of certain designs for the American Roll of Honor, a memorial book now reposing in the American Memorial Chapel of St. Paul's Cathedral, London, England; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 7717. A bill for the relief of Pasquale Antonucci; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 7718. A bill for the relief of Beatrice Ohanessian; to the Committee on the Judiciary.

By Mr. WALTER (by request):

H.R. 7719. A bill for the relief of Helena Bilinska; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

217. The SPEAKER presented a petition of Rosemary Macklem and others, Cleveland, Ohio, relative to a redress of grievance and requesting that American Indians get justice in the way of better living such as: Better food, water, medicine, education, and the right to earn their own living; which was referred to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

A Salute to the City of Rochester

EXTENSION OF REMARKS
OF
HON. JESSICA McC. WEIS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, June 12, 1959

Mrs. WEIS. Mr. Speaker, this week the city of Rochester is celebrating its 125th anniversary, and I should like to take this opportunity to call to the attention of the Members of the House this memorable occasion.

Rochester has been my home for a great many years, and since last January, I have had the rare privilege of representing the people of a portion of the city in this Congress. I am extremely proud of both these facts, for I can think of no better place to live, and there are no finer people anywhere in this world of ours.

The first permanent settlement of Rochester, on the banks of the Genesee Falls, was established in 1812, but the city was not incorporated until 1834, and it is this event which is being celebrated this year.

In the past century and a quarter, the tiny community of 1834 has grown to a bustling metropolitan area, with the population of Greater Rochester now pushing 600,000. During this period the people of our city have prospered beyond the fondest hopes of those courageous early settlers.

The city is today world renowned as a great cultural center, and its colleges and universities are recognized as being among the finest in America. Who, for example, has not heard of the Eastman School of Music, or the University of Rochester School of Medicine?

But not only is Rochester known as a center of education and the arts. It is one of our great industrial areas, with scores of prosperous firms where the highly skilled workers turn out some of the very finest precision equipment. Eastman Kodak and Bausch & Lomb Optical Co. are but two of the many firms whose products are respected throughout the world for their quality craftsmanship.

More important than all of this, however, is the civic spirit which permeates the entire community—a dynamic, unifying spirit which sweeps aside factionalism, petty rivalry, and personal ambition and channels the myriad resources of Rochester and its citizens into the struggle for community progress and prosperity.

It is this spirit which has built the schools, the hospitals, and the beautiful public parks. It is this spirit which last month raised $4½ million for the community chest. It is this spirit, I submit, which indelibly marks Rochester as one of the truly great cities of America.

Mr. Speaker, during this, its 125th anniversary, I ask all of the Members of the House to join with me in saluting the city of Rochester.

The Wheat Bill

EXTENSION OF REMARKS
OF
HON. DON L. SHORT
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 12, 1959

Mr. SHORT. Mr. Speaker, yesterday when the House had under consideration H.R. 7246, I was very disappointed that my colleague the gentleman from Minnesota [Mr. QUIE], a distinguished and able member of the Committee on Agriculture, did not have an opportunity to speak in support of the amendments he offered to the bill. The gentleman from Minnesota [Mr. QUIE] and I had given a great deal of thought to some of the shortcomings of the legislation under consideration and felt very strongly that, while it moved in the right direction, it needed some further revision. I would have spoken in support of the amendments offered by the gentleman from Minnesota [Mr. QUIE] had there been an opportunity. In my opinion, it is indeed unfortunate that adequate time was not given to the consideration of legislation as important to the American farmers as this wheat bill.

Annual Questionnaire

EXTENSION OF REMARKS
OF
HON. PAUL G. ROGERS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 12, 1959

Mr. ROGERS of Florida. Mr. Speaker, each year since first coming to the Congress I have sent out a questionnaire in which I ask the people of the Sixth Congressional District of Florida to let me have their views on some of the matters which will come before the Congress.

This year over 33,000 people took the time to send me their replies to these questions, an increase of 5,000 over last year's total.

The newspapers of the district print the questionnaire, and ask their readers to fill in their answers, clip and mail it to me in Washington. Participation is also encouraged by our radio and TV

stations. In addition to the newspaper copies, some spot mailing is done.

The total of 33,000 responses this year is most encouraging in that it indicates a great interest in national affairs by our people. By letting their officials know how they feel on these vital issues the people may be more properly represented in government.

The results show a good cross section of public opinion, because of the makeup of the Sixth District of Florida. We have a large resort area along the east coast with people from all over the country now living there. There are several large industrial plants in the area, as well as the Indian River citrus area, truck farming, ranching, commercial fishing, and many other segments of the economic makeup of our great country. Rather than just an urban population, or just a rural population, or one of industry or a resort area, we have a portion of each, which makes up the Sixth District of Florida.

The questions and responses are as follows:

1. Do you favor a cut in foreign aid spending? Yes, 81.9 percent; no, 18.1 percent.
2. Should Hawaii be granted statehood? Yes, 89.1 percent; no, 10.9 percent.
3. Do you favor Federal aid for school construction? Yes, 45.2 percent; no, 54.8 percent.
4. Would you support legislation to regulate labor organizations? Yes, 94.8 percent; no, 5.2 percent.

(a) By requiring secret ballot for union elections: Yes, 92 percent; no, 8 percent.

(b) By publication of financial records: Yes, 96.7 percent; no, 3.3 percent.

(c) By restricting secondary boycotts: Yes, 89.8 percent; no, 10.2 percent.

(d) By restricting jurisdictional strikes: Yes, 88.8 percent; no, 11.2 percent.

5. The President has requested an increase in the postal rates and the gasoline tax. Do you favor these tax increases? Yes, 24 percent; no, 76 percent.
6. Do you believe that the earning limitation of $1,200 for social security should be removed? Yes, 74.2 percent; no, 25.4 percent.
7. The Government conducts medical research programs for cancer, heart disease, and allied health problems. Would you favor an increase in these programs? Yes, 78.5 percent; no, 21.5 percent.
8. Would you favor a cut in the Federal farm price support program? Yes, 85.3 percent; no, 14.7 percent.

The Parker Lynching Case

EXTENSION OF REMARKS
OF
HON. FRANK J. LAUSCHE
OF OHIO
IN THE SENATE OF THE UNITED STATES
Friday, June 12, 1959

Mr. LAUSCHE. Mr. President, I have received a copy of a letter from Perry B. Jackson, judge, Cleveland municipal court, addressed to the Attorney General of the United States, in which is raised the subject of jurisdictional authority relative to the Parker lynching case.

As a result of this interchange of correspondence, I have written to the Honorable William P. Rogers, the Attorney General, and quoted from the letter of Judge Jackson.

Mr. President, I ask unanimous consent to have my letter printed in the RECORD.

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

JUNE 11, 1959.

The Honorable WILLIAM P. ROGERS,
Attorney General of the United States,
Department of Justice, Washington, D.C.

DEAR MR. ROGERS: On June 6 there came to my office a copy of a letter dated June 4 addressed to you by Perry B. Jackson, a judge of the Cleveland Municipal Court. The subject of the letter is the Parker lynching case in Mississippi.

Judge Jackson discusses an article which appeared in the February 1943 issue of the Washington University Law Quarterly, under the title: "The Federal Civil Right 'Not To Be Lynched.'" He states that the author of the article was Victor W. Rothnam, who, in February 1943, was the Chief of the Justice Department's Civil Rights Section.

Judge Jackson obviously is of the opinion, based upon the Rothnam article, that the Federal Government does have criminal jurisdiction in the Parker lynching case under section 19 of the United States Criminal Code, which reads as follows:

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having exercised the same, or if two or more persons go in disguise upon the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be fined not more than $5,000 and imprisoned not more than 10 years, and shall moreover be thereafter ineligible to any office or place of honor, profit, or trust created by the Constitution or laws of the United States."

Applying my knowledge, without the aid of interpretations which might have been made by the Federal courts on the meaning of section 19, my opinion is that there is merit to the suggestion made by Judge Jackson.

It does seem to me that for the good of the Nation, and primarily in furtherance of justice, regardless of what is done by the criminal law-enforcement agencies and by the courts of Mississippi with the perpetrators of Parker's death, there rests with the Department of Justice the solemn responsibility to set into operation the machinery for the enforcement of criminal justice, providing, of course, that the evidence discovered by the Federal Bureau of Investigation establishes the probable identity and guilt of the persons who, in a lynching, took the life of Mr. Parker.

Sincerely yours,

FRANK J. LAUSCHE.

Facts About Amendments Which Would Make Wheat Bill Workable

EXTENSION OF REMARKS
OF
HON. ALBERT H. QUIE
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 12, 1959

Mr. QUIE. Mr. Speaker, when H.R. 7246 was before the House, several Members, including myself, were not allowed to present our views on our amendments to this important legislation.

At this time, I would like to explain my amendments, their effect, and the reason behind them.

As a member of the Committee on Agriculture, I have devoted a great deal of thought and effort on the subject of wheat legislation. As the distinguished gentleman from North Dakota [Mr. SHORT] and I pointed out in our additional minority views, this bill does not provide the necessary legislative machinery to either implement an effective control of wheat production or to provide an acceptable choice to wheat farmers in the national referendum. We pointed out what we considered were, and are, defects in this legislation.

These defects were and are:

First. That a 25-percent cut in acreage allotments for wheat, when coupled with payments in kind, simply will not cut into the excess availability of wheat in the marketplace.

Second. That the provision in the bill dealing with the control of acreage diverted from wheat was not effective.

Third. That the 15-acre marketing quota exemption, although reduced by the bill, leaves in effect a loophole which has caused an unwarranted shift of wheat production from the traditional wheat-producing areas to other less efficient areas and has resulted in the accumulation of some 600 million bushels of wheat by the CCC.

Fourth. That our agricultural history has been a sad testimonial to the fact that acreage controls alone are not effective tools in controlling production.

Fifth. That the alternative of 50 percent of parity price supports offered wheat farmers in the referendum was offering a choice of price supports too low for our wheat farmers.

And sixth. That one referendum for the 2-year period would be sufficient.

In order to correct what I sincerely felt were deficiencies in the bill, I prepared a number of amendments, some of which were read by the Clerk and summarily voted down by the House yesterday without the opportunity to be presented on their merits. My amendments were designed to accomplish the following purposes:

First. To change the required amount of reduction in wheat acreage for 1960 and 1961 from 25 percent below the farm acreage allotments computed under present provisions of law to 30 percent. The most optimistic estimate of a 25-percent cut in wheat acreage was a 20-percent cut in wheat output. Some experts predicted only a 7-percent cut in wheat output. The Department of Agriculture predicted that wheat output would be reduced by less than 15 percent. In order to do a really effective job of cutting production, a 30-percent cut seemed absolutely necessary.

Another amendment dealing with the payment-in-kind section was designed to allow a wheat farmer to voluntarily retire all his wheat acreage allotment in return for payments in kind based on one-third of his actual annual production.

However, in my bill, the 25 percent cut required by the bill would not be paid in kind because such payments in kind would only find their way back into the marketplace or into Government stocks. This is true due to the fact that the market can only absorb an estimated 1.08 billion bushels. In spite of reduction of wheat output under H.R. 7246, there would be more wheat available on the market than could be consumed.

Second. To prevent the use of the acreage diverted for wheat for raising other agricultural commodities which would create further problems, the next amendment would impose marketing penalties on the entire wheat production of the farm if any crop is raised on the acreage diverted from wheat production, or if such diverted wheat acreage is used for grazing.

This amendment would deny price supports on any crop produced on the farm in 1960 and 1961, if a wheat farmer grows a price-supported crop on the acreage diverted from wheat production. This would impose strict cross-compliance and prevent the use of former wheat acres for growing other crops.

Third. The next amendment was to repeal the 15 acres marketing quota exemption but allow all farmers the right to vote in the national referendum.

Fourth. Another amendment would direct the Secretary of Agriculture to make a thorough study of bushelage allotment for wheat; to report such findings and recommendations to the Congress by January 1, 1960. At this late date, bushelage controls could not be implemented in this legislation, but a thorough study by the Department of Agriculture seemed to be in order.

Fifth. Lastly, to offer wheat farmers a choice more in line with that offered corn farmers last fall, this amendment would have given the Secretary discretion to set the choice for free production at not less than 55 percent of parity, a level more justly related to feed grains.

In conclusion, I regret that my amendments were not given an opportunity for debate, and I sincerely hope that the other body and the conferees on the bill will give each of them serious consideration.

Uncle Sam and His Workers

EXTENSION OF REMARKS
OF
HON. JOHN R. FOLEY
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, June 12, 1959

Mr. FOLEY. Mr. Speaker, the Government of the United States as the employer of the largest number of persons has a great responsibility to provide the highest and best employment standards for its employees. That the Federal Government should be our country's model employer is a goal accepted by all persons who have thought about this important matter. That the Government is not a model employer is likewise accepted by this same group of persons. The reasons for the Government's failure to achieve this necessary and worthwhile goal are many and complex. Some of the facts which prove that the Government has not attained this goal were set forth clearly and vigorously recently by our colleague, the Honorable GEORGE M. RHODES, U.S. Representative from the 14th District of Pennsylvania. The article appeared in the April 1959 issue of the American Federationist. Because the article is revealing, forceful, and fairminded, I insert it in the CONGRESSIONAL RECORD:

UNCLE SAM AND HIS WORKERS
(By GEORGE M. RHODES, U.S. Representative from Pennsylvania)

Shocking conditions reminiscent of a bygone era in American labor history are the day-to-day experience of thousands of employees of the Federal Government. Labor-management policies and practices which workers in industry now take for granted are still unattained goals of Government employees.

Here are some typical comments on present employee-management relations by Federal employees:

An Army employee: "Coercion and threats are the order of the day."

A postal clerk: "Employees feel they have no rights whatsoever and are merely puppets subject to anyone's whim and fancy."

A public health employee: "Anyone foolish enough to take a grievance to the employee relations office is placed on the blacklist as a troublemaker."

A letter carrier: "Employee morale is floundering."

A poetic Navy employee: "Management plots the course and mans the helm. Employees are the galley slaves."

A departmental employee: "Union members who become effective in presenting grievances and complaints for their fellow workers are either transferred or their jobs are abolished."

A general complaint is that "my agency does not follow established rules and regulations in employee-management matters, but no one dares to speak out because of the fear of reprisal."

I could go on to list hundreds of such statements from Government employees at hearings before congressional committees, in letters to Members of Congress and in personal interviews.

It is easy for those in positions of responsibility to dismiss these statements as those of misfits, cranks, troublemakers or malcontents. My 10 years of study and growing concern over this problem have convinced me, however, that in the main these men and women are the unfortunate victims of harsh and outmoded personnel policies which have seriously undermined their morale and their ability to operate at peak efficiency.

But they are not the only victims. Grave damage is also being done to our career civil service by repeated instances of job injustices. Actually, the complaints from individual Government employees are danger signals, warning us that something basic is wrong with our entire Federal personnel system.

This analysis is confirmed by reports and findings of many Government and non-Government groups which have studied various aspects of the problem.

The civil service system was established by Congress in 1883. The assassination of President Garfield by a disappointed jobseeker dramatically highlighted the evils of the spoils system which had dominated Government hiring practices for generations.

Public demands on Congress for reform of the old system produced the Civil Service Act, which brought into being the competitive merit system in Government employment.

In January of this year there were 2,337,823 civilian Federal employees on the payroll. They work in every State of the Union, every city and county, every Army post, naval and airbase, post office, every veterans' hospital, Federal prison, overseas installation, every regional office, weather bureau, executive department and agency in Washington. Their activities touch directly or indirectly upon the life of each of their fellow citizens.

Generally speaking, Federal Government employees may be placed in three major categories—the white collar or classified employees, the blue collar or wage board employees, and the employees of the postal service. All are chosen from civil service registers, which contain the names of those applicants who have passed examinations in each of the many thousands of classified positions.

The pay scales of classified and postal employees are estabished by acts of Congress. The pay of blue-collar or wage board employees is based on a determination of the prevailing area wage being paid in private industry for each of the various types of job classifications.

An individual who embarks upon a career in the Federal civil service automatically surrenders certain basic rights and freedoms enjoyed by other American citizens.

The Federal employee is prohibited by law from engaging in a strike against the Government. In this regard an American Bar Association committee stated in a 1955 report:

"Government which denies to its employees the right to strike against the people, no matter how just might be the grievances, owes to the public servants an obligation to provide working conditions and standards of management-employee relationships which would make unnecessary and unwarranted any need for such employees to resort to stoppage of public business."

The Federal employee surrenders certain rights to engage in political activity under restrictions imposed by the Hatch Act. Federal employees can take no part in a local, State, or national political campaign, hold no office in a political club, nor otherwise engage in any partisan political activity.

Upon entry into the Federal service a citizen becomes, in effect, a political eunuch who must depend largely on relatives, friends, and neighbors outside civil service for effective political action to see to it that responsible officials are chosen to represent him at every level of government.

What do civil servants have a right to expect in exchange for their surrender of these basic American rights? Stating the case in its broadest terms, I feel that employees of the Federal Government are at the least entitled to conditions of employment equal in all respects to those accorded to employees in private industry.

The special obligation of Government to guarantee equality in the treatment of its own employees has been recognized by many eminent authorities in the field of personnel management and labor-management relations.

Here is what the American Bar Association committee said:

"A government which imposes upon other employers certain obligations in dealing with their employees may not in good faith refuse to deal with its own public servants on a reasonably similar favorable basis, modified, of course, to meet the exigencies of the public service. It should set the example for industry by being perhaps more considerate than the law requires of private enterprise."

The National Civil Service League, an organization supported by top industrialists and businessmen interested in strengthening the merit system stated in its publication:

"All groups interested in public administration, including the unions themselves, recognize that public employment is different from private employment and that all aspects of collective bargaining cannot be utilized in government. However, a full examination of employee representation and communication policies and techniques is long overdue.

"A constructive program would not only provide democratic assistance to the employee but would also develop a means for management responsibility which industry has long since learned to utilize but which government still lacks."

Similar views have been officially expressed by the Hoover Commission and the House and Senate Post Office and Civil Service Committees, which in past years have favorably reported legislation to establish a uniform system of handling Government employee grievances in the promotion of enlightened employee-management relations in the Federal service. However, these bills have never reached the floor for debate and vote.

The need for formal action to require all Government agencies to recognize employee unions and to establish uniform grievance machinery has also been the subject of discussion by the President's Cabinet. A proposed Executive order to accomplish these modest objectives was actually drafted several years ago, but it was never issued.

In view of this widespread concern over employee-management relationships in the Federal Government, why is it that such shocking conditions continue to exist? This is a question often asked by persons genuinely interested in this important problem.

During the administrations of Theodore Roosevelt and William Howard Taft, Executive orders were issued prohibiting direct communication between Federal employees and Members of Congress, thus denying these citizens the fundamental constitutional right to petition for redress of grievances. As a result of these abuses, Congress in 1912 enacted the Lloyd-La Follette Act.

Considering the violently antilabor sentiment which then existed among private employers, the widespread use of professional strikebreakers, the virtually unrestricted use of injunctions in labor disputes, the "yellow dog" contracts and other antilabor devices, the Lloyd-La Follette Act of 1912 was a reasonable, forward-looking effort to inject justice and sanity into employee-management relations in the Federal service.

It gave recognition to the rights of Federal employees in three main respects.

It provided that no person in the classified civil service could be removed except for cause.

It authorized employees of the Federal Government to organize to improve conditions of employment, wages and hours of work. The right to strike was specifically prohibited.

The right of Federal employees to petition Congress or any Members of Congress was guaranteed. The right to furnish information to either House of Congress or a congressional committee or member thereof was also guaranteed.

Now, 47 years later, this is still the basic law affecting the rights of Federal employees. But in this interim period significant advancements have been made in Federal laws affecting employee-management relations in private industry. These laws are well known—the Railway Labor Act, the Norris-LaGuardia Act, the Davis-Bacon Act, the Wagner Act (amended by Taft-Hartley), the Walsh-Healey Act and the Fair Labor Standards Act.

It is obvious that the Federal Government has lagged far behind in the establishment of enlightened employee-management policies for its own employees. I am convinced that only Congress can furnish the necessary leadership to bring about a long-needed overhaul of the Government's antiquated personnel practices.

There are many aspects to this complex problem, including the lack of uniform grievance procedures throughout the Government, employee morale factors, salary inequities and the threat of transfers or reductions in force because of automation, particularly in the Postal Establishment.

There are also matters of promotion policies, lack of adequate communication between employees and supervisory personnel, poor and unsafe working conditions, autocratic behavior by management officials and the lack of understanding of the techniques of modern employee-management relations.

Experts point out that many of the current problems have resulted from the failure of the Civil Service Commission to carry out its legal responsibilities in administering civil service laws, rules, and regulations. The increasingly large number of Federal employees bringing cases in the courts to test their rights is an indication of its lack of overall effectiveness.

If we are to have an efficient, enlightened personnel structure in the Federal service, Congress must insist that the Commission exert strong leadership to protect the merit system against the continuing pressure of political spoils. At the same time the Commission must adopt enlightened personnel management techniques which have proved successful in private industry in the promotion of efficient, economic and harmonious employee-management relationships.

Political appointments to the Commission have undoubtedly weakened its determination to force executive departments and agencies to comply with existing regulations or to initiate modern personnel practices. There are recent signs which indicate possible improvement in the present chaotic situation. The appointment of Roger W. Jones, a career civil servant in the Bureau of the Budget, to the chairmanship of the Commission is generally viewed as a step in the right direction.

The naming of Rocco Siciliano to the newly created position of special assistant to the President for personnel management has produced efforts to fill the void caused by the lack of Civil Service Commission leadership in this area.

Last June, Siciliano sent a memorandum to the heads of all executive departments and agencies. It called attention to previously established personnel management standards on such matters as grievances, consultations between management and employees, and the protection of employee's right to join a union. Department and agency heads were asked to evaluate their own employee-management policies to make them more in keeping with established standards.

There are indications that the Siciliano memorandum did some good. The Department of the Interior issued a new consolidated labor policy restating the collective bargaining rights of wage board (blue collar) employees and stressing the value of close cooperation with employee organizations. The Civil Service Commission has been officially assigned the task of checking on how well agencies comply with employee-management standards.

The Commerce Department issued an order which "encouraged" its employees to join unions and gave union members the opportunity to collect dues on Government time. However, protests from other agencies forced amendments to the order which toned it down considerably.

In January of this year the American Federation of Government Employees, an AFL–CIO affiliate, sent questionnaires to each of its lodges throughout the country. The object was to get a frank appraisal of employee-management conditions at each installation. Final returns of the survey are still being tabulated, but initial reports released by the union reveal that there is much to be done before personnel relationships in the Federal Government can be brought up to a decent level.

Queried specifically about any improvements noted since the Siciliano memorandum was issued, 38 percent of the AFGE lodges in Defense Establishment which reported employee-management relations as "poor" or "fair" said that there were signs of improvement. Only 16 percent of nondefense establishments reporting poor or fair relations noted any change.

A great number of respondents used such terms as "lipservice" and "window dressing" when commenting on the effect of the White House memorandum in their own agency. Others pointed to the gap between front office "toleration of employee unions" and "antagonistic" relationships with supervisory personnel at the day-to-day working levels.

While a wide range of comments on present labor relations was received, the overwhelming number of the AFGE lodge spokesmen felt that congressional enactment of employee-management legislation was the key to overall improvement in this area.

The Johnston-Rhodes bill now before Congress offers the best hope for the establishment of modern, sound employee-management relations policies in the Federal service.

The measure would not give Government employees the right to strike or to encourage in activities detrimental to their agency or the public interest. It is in harmony with policies previously established by Congress for employees in private industry.

This bill would legally establish several important principles. It would guarantee representatives of employee organizations the right to present grievances in behalf of their members without restraint, coercion, interference, intimidation, or reprisal.

While this right already exists in some U.S. agencies, it is only granted by sufferance, not as a matter of legal right. Moreover, the frequent turnover of personnel in an agency or installation often makes it only of fleeting duration.

The bill would give representatives of employee organizations the opportunity to present views on matters of policy affecting working conditions, safety, inservice training, labor-management cooperation, methods of adjusting grievances, transfers, appeals, granting of leave, promotions, demotions, rates of pay and reductions in force.

In addition, the Johnston-Rhodes bill would establish by law a uniform and workable system of handling unresolved grievances in these specified areas by the use of impartial boards of arbitration.

Various executive departments and agencies and the U.S. Civil Service Commission have repeatedly expressed their vigorous opposition to this legislation. They have generally taken the position that establishment of these rights of Federal employees by statute was unnecessary because adequate machinery already existed in Government agencies to handle grievances, appeals, and other problems in the employee-management field.

Despite these assurances, however, the public record is filled with abundant evidence showing that present employee-management relations in the Federal service are in too many instances the product of 19th century antilabor philosophy and similarly outmoded personnel-management concepts. The antilabor bias of Cabinet members of the Eisenhower administration was shown

most recently when Postmaster General Summerfield attacked unions at the convention of the National Association of Manufacturers in New York.

Enactment of the Johnston-Rhodes bill is urgently needed. This measure would prod narrow, bureaucratic minds into recognition and adoption of 20th century employee-management policies. It is only by this type of shock treatment that we can ever hope to achieve the necessary degree of enlightenment in the Federal civil service to bring about these needed reforms.

The resulting benefits of increased efficiency, more economical administration of Government, improved morale, better working standards and conditions, recruitment of better qualified civil servants and the extension of truly fair and democratic treatment to our loyal and devoted Government employees are well worth the tremendous efforts needed to enact the Johnston-Rhodes employee-management bill.

Flag Day, 1959

EXTENSION OF REMARKS
OF
HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 12, 1959

Mr. DENT. Mr. Speaker, due to the fact that I find it impossible to attend certain Flag Day activities in my home district, I am taking this means to convey my remarks to my constituents.

This day, Flag Day, is dedicated to the glorious symbol of our United States. We meet to honor our flag, and to reaffirm our faith in the Nation and the principles for which it stands.

It is 182 years since Congress authorized the use of a new flag for a new nation. Prior to that time the Continental Army had carrier various banners, from the pine-tree flags of New England to the rattlesnake banners of the South. One of the most persistent designs was the Grand Union, which bore the British Union Jack in the upper left-hand corner, and had 13 alternate red and white stripes. It was hoisted by Gen. George Washington in January 1776, at Cambridge, Mass., as the standard of the Continental Army.

It was not until June 14, 1777, almost a year after the adoption of the Declaration of Independence, that the Continental Congress in Philadelphia passed a simple resolution which read:

Resolved, That the flag of the United States be 13 stripes, alternate red and white; that the union be 13 stars, white in a blue field, representing a new constellation.

The special committee that had been appointed to design the new flag offered this explanation of the proposed designs:

The stars of the flag represent a new constellation rising in the West. The idea is taken from the great constellation Lyra, which in the hands of Orpheus, signifies harmony. The blue in the field is take from the edge of Covenanters' banner of Scotland, significant of the covenant of the United States against oppression. The stars are disposed in a circle, symbolizing the perpetuity of the Union, the ring signifying eternity. The 13 stars show the number of the united Colonies and denote subordination of the States of the Union as well as equality among themselves. The red, the color which in the Roman days was a symbol of defiance, denotes daring, and the white, purity.

The resolution was not promulgated by the Secretary of the Congress until September 3, 1777, and the flag as first carried in battle at Brandywine on September 11. It was first saluted by a foreign power when the *Ranger*, in command of Capt. John Paul Jones, arrived at a French port on February 14, 1778, with the flag flying.

According to legend, the committee, if left to its own devices, would have given us six-pointed stars; But Mrs. John Ross, upholsterer and seamstress, who was to make the flag, preferred a five-pointed star. With a few snips of the scissors she showed the gentlemen how much neater the less bulky stars would appear, especially as their numbers increased. The gentlemen of the committee, Robert Morris, Colonel Ross, and perhaps even George Washington himself, agreed that she was right.

Although Congress formally approved the new flag in 1777, it was 2 or 3 years before the flag was generally adopted. But somehow the idea of a flag with stars and stripes took hold. The feeling of ardor for the flag possibly has never been better expressed than in the lines from the pen of Joseph Rodman Drake, a young poet who grew up with the young flag:

Flag of the free heart's hope and home,
By angel hands to valor given;
The stars have lit the welkin dome,
And all thy hues were born in heaven.
Forever float that standard sheet!
Where breathes the foe but falls before us,
With Freedom's soil beneath our feet,
And Freedom's banner streaming o'er us?

The appearance of a piece of bunting can change the mood of men. The stir of emotion at the sight of the flag is the common sentiment that binds us together spiritually. When men have died fighting in good causes under a flag, that banner is no longer merely a piece of cloth. It takes on a new and solemn beauty.

Since its adoption in 1777 more than 20 changes have been made in our flag. At first the admission of each new State was marked by the addition of a star and a stripe to the flag. In 1818 Congress stipulated that the number of stripes remain 13, in honor of the original States, and that "on the admission of every State into the Union, 1 star be added to the union of the flag; and that such addition shall take effect on the 4th of July next succeeding admission."

Like the flag itself, Flag Day did not attain its final form at once. The popular observance of the anniversary was of slow growth. In 1889 Prof. George Bolch, principal of a free kindergarten for the poor in New York City, decided to hold patriotic exercises on that day. They attracted considerable attention and the State department of education arranged to have the day observed in all the public schools.

In 1897 the Governor of New York issued a proclamation ordering the display of the flag over all the public buildings in the State. This is sometimes called the first official recognition of the day outside the schools. However, 4 years earlier, the mayor of Philadelphia, in response to a resolution of the Society of Colonial Dames of Pennsylvania ordered the display of the flag on the public buildings in that city. The resolution was offered by Mrs. Elizabeth Duane Gillespie, a direct descendant of Benjamin Franklin.

Although the anniversary is not a legal holiday in any of the States except Pennsylvania, it has come to be observed unofficially throughout the whole country. The flag is displayed, special exercises are held in the public schools, and the day is observed by lodges and civic organizations. It is customary to hold a celebration in the Betsy Ross House in Philadelphia, and the patriotic order of the Sons of America are in the habit of placing a wreath on the grave of Betsy Ross in Mount Moriah Cemetery in Philadelphia.

The increasing observance of Flag Day with the passing years has brought about a more lively appreciation of this banner of a free people. More than most peoples, we Americans have become accustomed to pay a very special homage and reverence to our flag. In a mystical way, such as is perhaps the case in on other land, the American flag symbolizes the hopes and ideals, the faith and pride of a Nation. It reminds us of our heritage, of the struggle, the sacrifice, and the triumphs of those who have gone before us. In these days of international tensions it gives assurance to us and hope to the free world. It represents those ideals of democracy, truth, and justice, toward which we must continue to strive, with confidence in the future of America.

Disgraced Dollar

EXTENSION OF REMARKS
OF
HON. EUGENE SILER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Friday, June 12, 1959

Mr. SILER. Mr. Speaker, last weekend I journeyed to Canada—at my own expense—and I was amazed to find that our dollars are now disgraced and humiliated up there in that great and busy land of the north. Every time I gave some of the Canadians a dollar bill I would get back only 95 cents in Canadian money. They said the discount was 5 percent. Now it used to be the other way around, for if you gave the Canadians a dollar bill in the good old days you would get back a dollar and five cents in Canadian money. But how times have changed. So, now it costs you exactly $1 to get a $20 bill changed when you visit "sound money Canada" for a vacation.

This disgraced dollar of our land has already smacked the daylights out of the real income of millions of Americans from Martha's Vineyard to San Diego.

Its value went below 50 cents compared to 1940 some time ago. And this means we have robbed the widows, orphans, coal miners, pensioners, social security beneficiaries, old-age assistance people, and untold millions of others out of their patrimony or income or standard of living.

This disgrace upon the dollar has now settled like a shameful dunce cap even upon the head of the once respected Government bond so that today it is selling at less than 85 percent of its face value or par value. People apparently no longer have full faith in the Government bonds of our country.

While anyone may entertain his own opinion about the cause of all this disgrace and humiliation, yet I feel that it basically lies in the deficit Government financing we have been practicing in almost every year during the past generation of our recent history. What is deficit financing? Well, it is simply putting out more than you take in. Uncle Bill Provins ran a country store a few miles from my hometown. Some drummer asked him about his markup and his net income. He said, "I don't know nothing about them things but I do know when I buy a hat for $3 and sell it for $5, I ain't lost nothing." Well, I myself am not an economist or financier, but I do know when we put out more than we take in we are doing deficit financing and disgracing the dollar and robbing the widows and workers of our country and all the income receivers, both big and small, throughout the whole land.

One of the easiest and best ways to stop deficits and deficit financing is to stop most of this foreign aid right now. Some high Government officials recently stated that we would have to continue foreign aid indefinitely and maybe for the next 50 years or so. It is the only way, they claim, to stop Russia and prevent the spread of communism. I do not agree at all. But if we are planning to keep on with this foreign aid over an indefinite period, then we should change the motto on all our coins and make that motto "In foreign aid we trust" instead of our present motto, "In God we trust." Where did we ever obtain the insipid notion that America could be sustained or helped or defended by foreign aid? This overall program has already cost the American taxpayers about $70 billion over the past 14 years. It has done nothing for our country but cause disgrace to the dollar, flight from our Government bond, inflation of our grocery bills, robbery of our common people, embezzlement from our pensioners and workers, and continuation of high taxes upon every American that makes his bread in the sweat of his face. While Great Britain and Japan both were reducing taxes in recent times for their own people, we had to continue all of our tax burdens, transportation tax, telephone tax, income tax, gasoline tax, and all the rest, so we could help Great Britain and Japan reduce their own taxes upon their own people. A total of $3 billion of foreign aid money has actually gone to foreign powers so that they could reduce their national debts and balance their budgets, and yet to extend this kind of aid we ourselves had to borrow the money that was needed. We have also given more than $2 billion to foreign governments that were and are unfriendly to the United States, including the Soviet Union, Yugoslavia, and Poland.

Mr. Speaker, paraphrasing the remark of Patrick Henry, I know not what course others may take but as for me, give me something for Albany—Kentucky—ahead of Afghanistan, something for Harlan ahead of Hindustan, and something for London, Ky., ahead of London, England. And, in conclusion, it is now almost the Fourth of July and I wish to say that I do not apologize for being an American instead of an internationalist or for favoring the motto, "In God we trust," over the current song of many, "In foreign aid we trust."

Let us return to sanity and let us lift our pitiable dollar out of disgrace up to a returned respectability. Let us shake off our old sackcloth and ashes and say, "Hurray for America—I am proud to be an American and to stand for Americans as long as the world stands."

SENATE

MONDAY, JUNE 15, 1959

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

O God who dwellest in light unclouded, Thou knowest what is in the darkness; Thou seest that in the murkiness of our fog-shrouded days, we, Thy children, move in a confusion of light and shadows, and that amid encircling gloom we are not certain of the way we should take.

Amid the perplexities of such an hour in human relations, save those who must speak for the people from dealing in agitation without vision, passion without poise, heat without light.

Somehow, Thou God of radiance undimmed, in whom is no darkness at all, we who are pilgrims of the night must find in Thee what we fail to find in the broken lights of man—a clearer understanding of the basic facts and forces of the exploding world about us.

O Thou God of our salvation, who knoweth the end from the beginning, send forth Thy light of truth and love and duty in whose clarity we may walk and in the splendor of which we may labor on, until the evening finds us unashamed and unstained.

We ask it in the holy name of the One whose "I am the Light", steadies our faltering feet. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 15, 1959.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. MIKE MANSFIELD, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MANSFIELD thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 12, 1959, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

Morning business is in order.

ORDER DISPENSING WITH CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the call of the calendar, under the rule, be dispensed with today.

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

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "MUTUAL SECURITY ACT OF 1959"

Mr. JOHNSON of Texas. Mr. President, on behalf of the Senator from Arizona [Mr. HAYDEN], I submit a resolution to provide for the printing of additional copies of part 1 of the hearings entitled "Mutual Security Act of 1959." I ask unanimous consent for the present consideration of the resolution.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Foreign Relations one thousand eight hundred additional copies of part 1 of the hearings entitled "Mutual Security Act of 1959."

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

There being no objection, the resolution (S. Res. 132) was considered and agreed to.

Mr. JOHNSON of Texas. Mr. President, I also submit a resolution to provide for the printing of additional copies of part 2 of the hearings entitled "Mutual Security Act of 1959." I ask unanimous consent for the present consideration of the resolution.