Tom Schilke, Jim Poulson, Bob Letsch, Rocke Calvelli, Todd Pettit, Tom Cramer, David Koenings, Tom Donavan, Donald Hartig, Roger DeMark, Edward Evenson, Brian Verhayen. The managers of the team are: Robert Olley, David Dudor, and Jef Miller.

The players who will participate in the national tournament play are: Joseph Gamell, Charles Wood, Tom Schilke, Jim Poulson, Bob Letsch, James Hesse, Rocke Calvelli, Todd Pettit, David Koenings, Tom Cramer and Donald Hartig.

The tallest man on the team is Tom Schilke; he is 6 feet 8 inches tall. The high-point man for the year has been the so-called eagle-eyed Chuck Wood. Three of his teammates were picked on the all-city team for Racine, Wis., to wit: Tom Schilke, Chuck Wood and Jim Poulson. Jim Poulson and Chuck Wood were picked for the all-Catholic conference team for the State of Wisconsin.

The team will arrive in Washington, D.C., at Union Station on Thursday, March 17, at 8:40 a.m. and will stay at the Roger Smith Hotel while in Washington.

It is with great pride that I am able to report the arrival of St. Catherine's High School basketball team to Washington, D.C. St. Catherine's is the alma mater of both my wife and myself and it is indeed a true and real pleasure to see this group of splendid young men, whom I have watched play on several occasions, come to Washington with the enthusiastic backing of their schoolmates and the adult population of the entire city of Racine. The spirit of teamplay has permeated their actions during the entire year and I predict that they will leave Washington Sunday evening as the winners of the tournament and with the 1960 trophy tucked away in their luggage.

I believe that St. Catherine's High School should be congratulated for its consistent ability to develop such fine athletic teams and for its dedication to the development of manhood in those participating in its athletic programs.

SENATE

FRIDAY, MARCH 18, 1960

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

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

O God of men and of nations, we come to Thee with deep gratitude for our surpassing heritage.

Our charter of freedom tells us that our worth and our dignity as individuals lie not in our role as citizens of any state, but because Thou hast created us in Thy image.

Thou hast given us the vision of a righteous nation with freedom and justice and opportunity for all. Grant us the grace to be loyal to that mission.

Beneath our diversities may we keep sacred the fundamental unity which is the true glory of this dear land of freemen. May our concern for impoverished, exploited, and enslaved people everywhere be equal to that for our own welfare.

In a vision that may startle us, and open our eyes to the solemn facts of these crucial days, make clear to us that the massed difficulties besetting us are not so much political and economic, as they are moral and spiritual; and that in all our baffled search for solutions, only by fresh awareness of Thee can the present social decay which threatens the inner life and the outer strength of the Nation be redeemed to decency and righteousness.

We lift our prayer in the Saviour'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, March 17, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

REPORT OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 361)

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

To the Congress of the United States:

Pursuant to the provisions of the National Aeronautics and Space Act of 1958, I transmit herewith for the information of the Congress the Second Semiannual Report of the National Aeronautics and Space Administration, covering the period of April 1, 1959, through September 30, 1959.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *March 18, 1960.*

LIMITATION OF DEBATE DURING MORNING HOUR

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

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

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with the new reports.

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

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the calendar, beginning with the new reports, will be stated.

UNITED NATIONS

The Chief Clerk read the nomination of Thomas C. Mann, of Texas, to be the representative of the United States of America to the 16th session of the Economic Commission for Asia and the Far East of the Economic and Social Council of the United Nations.

Mr. JOHNSON of Texas. Mr. President, I know Mr. Mann very well. He comes from my State, and we take great pride in his distinguished service. So I am very much pleased that he has been nominated to this very important assignment.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

DEPARTMENT OF STATE

COUNSELOR OF THE DEPARTMENT OF STATE

The Chief Clerk read the nomination of Theodore C. Achilles, of the District of Columbia, to be Counselor of the Department of State.

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

U.S. ADVISORY COMMISSION ON INFORMATION

The Chief Clerk read the nomination of Siguard S. Larmon, of New York, to be a member of the U.S. Advisory Commission on Information for a term of 3 years expiring Jan. 27, 1963, and until his successor has been appointed and qualified.

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

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY TO PERU

The Chief Clerk read the nomination of Selden Chapin, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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

ATOMIC ENERGY COMMISSION

The Chief Clerk read the nomination of Robert E. Wilson, of Illinois, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1960.

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

The Chief Clerk read the nomination of Robert E. Wilson, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1965.

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

ROUTINE DIPLOMATIC AND FOREIGN SERVICE NOMINATIONS

The Chief Clerk proceeded to read sundry routine nominations in the Diplomatic and Foreign Service.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

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

That completes the new reports on the Executive Calendar.

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

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

LEGISLATIVE SESSION

Mr. 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.

The PRESIDENT pro tempore. Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, that there have been no significant developments to report for the month of February 1960 relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

REPORT ON STOCKPILE OF STRATEGIC AND CRITICAL MATERIALS

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting, pursuant to law, a secret report on the stockpile of strategic and critical materials, for the period ended December 31, 1959 (with an accompanying report); to the Committee on Armed Services.

REPORTS ON REAL PROPERTY EXEMPT FROM TAXATION IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, a report on real property exempt from taxation in the District of Columbia, for the calendar year 1956 (with an accompanying report); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, a report on real property exempt from taxation in the District of Columbia, prior to December 24, 1942 (with an accompanying report); to the Committee on the District of Columbia.

LIBERALIZATION OF IMMIGRATION AND NATIONALITY ACT

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Immigration and Nationality Act so as to modernize and liberalize the quota system and provide for the admission of persecuted peoples, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY DEPARTMENT OF LABOR

A letter from the Under Secretary of Labor, transmitting, pursuant to law, a report on tort claims paid by the Department of Labor during the year ended December 31, 1959 (with an accompanying report); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF AN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of the order suspending deportation in the case of Toh Jung Lin, together with a statement of the facts and pertinent provisions of law pertaining to the case, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the Commonwealth of Kentucky; to the Committee on Appropriations:

"CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO MAKE POSSIBLE THE CONSTRUCTION OF CAVE RUN RESERVOIR ON LICKING RIVER

"Whereas it has been long recognized that the Licking River has many advantages as a potential reservoir site; and

"Whereas a dam in the Cave Run area close to the source of the river would prevent the floods that periodically sweep the length of the river; and

"Whereas the opportunities presented by the power source and the recreational facilities that would attend the construction of the dam and reservoir would attract industries and visitors, to the benefit of the entire State: Now, therefore, be it

"Resolved by the House of Representatives of the Commonwealth of Kentucky (the Senate concurring therein):

"SECTION 1. That the U.S. Congress is hereby petitioned and memorialized to appropriate funds to construct the Cave Run Reservoir, on the Licking River.

"SEC. 2. That the clerk of the senate cause copies of this resolution to be sent to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives and to each of the Senators and Representatives of the Commonwealth of Kentucky now serving in the Congress.

"JOHN T. TILLIS."

RESOLUTIONS OF ORGANIZATIONS OF STATE OF NEW YORK

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD several resolutions adopted by organizations of the State of New York.

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

RESOLUTION ADOPTED BY THE BOARD OF EDUCATION, CITY SCHOOL DISTRICT, SCHENECTADY, N.Y., URGING THE ENACTMENT INTO LAW OF SENATE BILL 105 FOR THE GRANTING OF SCHOLARSHIPS TO CHILDREN OF VETERANS UNDER CERTAIN CIRCUMSTANCES

Resolved by the Board of Education of the City School District of the City of Schenectady, N.Y.:

SECTION 1. This board urges Congress and the President of the United States to enact into law Senate bill 105 for the granting of scholarships for certain persons from income resulting from the investment of certain alien property seized during World War II by the U.S. Government.

SEC. 2. The clerk of the board of education is hereby directed to send copies of this resolution to our Representatives in the U.S. Congress, namely, Senator KENNETH B. KEATING, Senator JACOB K. JAVITS, and Congressman SAMUEL S. STRATTON.

SEC. 3. This resolution shall take effect immediately.

RESOLUTION ADOPTED BY THE SCHENECTADY COUNTY BOARD OF SUPERVISORS, SCHENECTADY, N.Y., AT THE MARCH 8 MEETING URGING SCHOLARSHIPS FOR VETERANS

Whereas legislation has been introduced in Congress that would set aside and invest $100 million in World War II enemy war assets seized from Germany and Japan—with the interest thereon—to be used for the establishment of 2,000 educational scholarsips in the field of science and engineering; and

Whereas, although priority and preference in the awarding of the aforementioned scholarships will be given to children of veterans of World Wars I and II and the Korean conflict, nonveterans will also be eligible for the awards; Now, therefore, be it

Resolved, That the Schenectady County Board of Supervisors urge the passage and enactment into law of U.S. Senate bill No. 105 as a positive step in strengthening and broadening educational programs in science and engineering; and be it further

Resolved, That copies of this resolution be transmitted to U.S. Senators KENNETH B. KEATING and JACOB K. JAVITS, and Congressman SAMUEL S. STRATTON.

RESOLUTION ADOPTED BY THE NEW YORK CITY COUNCIL ON MINIMUM WAGE MEMORIALIZING CONGRESS AND THE STATE LEGISLATURE TO SUPPORT THE $1.25 MINIMUM WAGE BILL

Whereas the Council of the City of New York, through its special committee to investigate the causes of low wages in the city of New York and the feasibility of establishing an adequate minimum wage, undertook a study which had amongst its purposes the ascertainment of the causes of low wages in the city of New York, the extent to which low wages have increased the cost of services provided by the city of New York to those workers who receive low wages, and ways and means of remedying this serious basic problem; and

Whereas the study included analysis of available statistics and other pertinent material, as well as public hearings to which representatives of the city government, trade unions, industry and business, and privately supported social service, civic, and welfare groups were invited and were heard; and

Whereas it was found that many thousands of families in the city of New York are subsisting under substandard living conditions primarily because of the low wages paid to the wage earners of the families, that this constitutes a social and economic danger to the welfare of our city, the State, and the Nation, that this condition with living costs mounting, has resulted in great demands for, and the expenditure of many millions of dollars annually by the city of New York and by private voluntary social services, hospitals, and charitable organizations in an effort to alleviate these conditions; and

Whereas, under present conditions, unless remedied, such needs and expenditures will mount to a point where they cannot be met; and

Whereas this problem is not unique to the city of New York, but exists to a greater or lesser degree in every community throughout the State of New York and the United States; and

Whereas these vast expenditures constitute subsidies by the taxpayers and contributions to business and industry, which are neither morally nor economically justifiable; and

Whereas the immediate means of affording some relief to the low-paid workers and to the local governments and charitable organizations, already too heavily burdened, is by the establishment of a minimum wage which comes closer to meeting actual needs: Now, therefore, be it

Resolved, That the Council of the City of New York most urgently petitions the Legislature of the State of New York to enact a law, without delay, which will establish at the earliest possible date a minimum wage of $1.25 per hour for a 40-hour work week, with appropriate premium overtime thereafter, the same to apply to employees in all businesses and industries and to regular nonprofessional employees of voluntary nonprofit organizations, such as hospitals.

Practices existing in industries of computing tips, board and lodging or other considerations of actual value as part of wages may be committed to continue, but the real value of such allowances must be such as assures receipt by the employee of at least the minimum wages prescribed. Exceptions in the law should be narrowly limited in carefully defined areas, as similarly should be the discretion of the industrial commissioner to grant exceptions; and be it further

Resolved, That the Legislature of the State of New York enact such a law without waiting for action which may be taken by the Congress of the United States; and be it further

Resolved, That the clerk of the council is hereby directed to transmit a copy of this resolution to the Governor of the State of New York, the Lieutenant Governor of the State of New York, the majority leader of the senate, the minority leader of the senate, the speaker of the assembly, the majority leader of the assembly, the minority leader of the assembly, to each member of the senate and assembly whose district is in the city of New York and to the industrial commissioner of the State.

BILLS INTRODUCED

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

By Mr. DOUGLAS:

S. 3224. A bill for the relief of Min-sun Chen; to the Committee on the Judiciary.

By Mr. DIRKSEN (for himself, Mr. SALTONSTALL, Mr. KEATING, Mr. JAVITS, Mr. CASE of New Jersey, Mr. SCOTT, Mr. BEALL, Mr. PROXMIRE, Mr. MAGNUSON, and Mr. PASTORE):

S. 3225. A bill to amend the Immigration and Nationality Act so as to modernize and liberalize the quota system and provide for the admission of persecuted peoples, and for other purposes; to the Committee on the Judiciary.

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

By Mr. SPARKMAN:

S. 3226. A bill to amend section 809 of the National Housing Act; to the Committee on Banking and Currency.

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

By Mr. BEALL:

S. 3227. A bill to amend the District of Columbia Business Corporation Act; to the Committee on the District of Columbia.

By Mr. SMATHERS:

S. 3228. A bill to amend the provisions of part II of the Interstate Commerce Act which authorize certain operations within a State as a common carrier by motor vehicle engaged in interstate or foreign commerce if State authorized; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGLAS:

S. 3229. A bill to amend the Public Buildings Act of 1959 to provide for the preservation and maintenance of the Dolly Madison House, the Benjamin Taylor House, and the old Belasco Theater for historical, cultural, and civic purposes; to the Committee on Interior and Insular Affairs.

By Mr. BUTLER:

S. 3230. A bill to amend section 35 of title 18 of the United States Code so as to increase the punishment for knowingly giving false information concerning destruction of aircraft and motor vehicles; to the Committee on the Judiciary.

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

CONCURRENT RESOLUTION

ADDITIONAL COPIES OF COMMITTEE PRINT CONTAINING STATE REPORTS ON WATER RESOURCES AND PROBLEMS

Mr. KERR submitted the following concurrent resolution (S. Con. Res. 94); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Select Committee on National Water Resources four thousand additional copies of the committee print, prepared by that committee, containing the reports of the States to the committee on their water resources and problems.

LIBERALIZATION OF QUOTA SYSTEM OF IMMIGRATION AND NATIONALITY ACT

Mr. DIRKSEN. Mr. President, certainly one of the most difficult problems before Congress—and this statement is true with regard to nearly every session—relates to the broad question of immigration. When all is said and done, I believe the nub of the problem is how to protect the country against a great stream of immigrants who could have a dislocating effect on the economy, yet at the same time to ease the explosive effect of overpopulation in other countries and do our fair share in the refugee field, not closing the door so tight as to destroy all hope for all people that there will be a haven and a life in America.

I think that is the basis for the message the President sent to the Congress with regard to a new immigration bill. I shall not try to belabor the matter, but I think, in order to round out the full case, I should ask unanimous consent to have printed in the RECORD at this point, in connection with my remarks, some pertinent data.

First, I ask unanimous consent to have printed in the RECORD the President's message, which was sent to the Congress on yesterday.

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

To the Congress of the United States:

I again urge the liberalization of some of our existing restrictions upon immigration.

The strength of this Nation may be measured in many ways—military might, industrial productivity, scientific contributions, its system of justice, its freedom from autocracy, the fertility of its land, and the prowess of its people. Yet no analytical study can so dramatically demonstrate its position in the world as the simple truth that here, more than any other place, hundreds of thousands of people each year seek to enter and establish their homes and raise their children.

To the extent possible, without dislocating the lives of those already living here, this flow of immigration to this country must be encouraged. These persons who seek entry to this country seek more than a share in our material prosperity. The contributions of successive waves of immigrants show that they do not bring their families to a strange land and learn a new language and a new way of life simply to indulge themselves with comforts. Their real concern is with their children, and as a result those who have struggled for the right of American citizenship have, in countless ways, shown a deep appreciation of its responsibilities. The names of those who make important contributions in the fields of science, law, and almost every other field of endeavor indicate that there has been no period in which the immigrants to this country have not richly rewarded it for its liberality in receiving them.

In the world of today our immigration law badly needs revision. Ideally, I believe that this could perhaps be accomplished best by leaving immigration policy subject to flexible standards. While I realize that such a departure from the past is unlikely now, a number of bills have already been introduced which contain the elements of such an idea. The time is ripe for their serious consideration so that the framework of a new pattern may begin to evolve.

For immediate action in this session I urge two major acts:

First, we should double the 154,000 quota immigrants that we are presently taking into our country.

Second, we should make special provision for the absorption of many thousands of persons who are refugees without a country as a result of political upheavals and their flight from persecution.

The first proposal would liberalize the quotas for every country and, to an important extent, moderate the features of existing law which operate unfairly in certain areas of the world. In this regard, I recommend the following steps:

1. The removal of the ceiling of 2,000 on quotas within the Asiatic-Pacific triangle;

2. The basing of the overall limitation on immigration on the 1960 census as soon as it is available in place of that of 1920, which is the present base;

3. The annual acceptance of one-sixth of 1 percent of our total population;

4. Abandonment of the concept of race and ethnic classifications within our population, at least for the purposes of the increases in quotas I have recommended, by substituting as the base for computation the number of immigrants actually accepted from each area between 1924 and 1959. In other words, the increase in the quota for Italy, for example, would not be based upon a percentage of a so-called Italian ethnic group within our country, but upon a percentage of actual immigration from Italy between 1924 and 1959; and

5. The unused quotas of undersubscribed countries should be distributed among oversubscribed countries. This distribution should be in proportion to the quotas of the oversubscribed countries.

My second major proposal is for authorization for the parole into this country of refugees from oppression. They are persons who have been forced to flee from their homes because of persecution or fear of persecution based upon race, religion, or political opinions, or they are victims of world political upheaval or national calamity which makes it impossible for them to return to their former homes.

This year has been designated World Refugee Year. The United States and 68 other nations have joined together in an attempt to seek permanent solutions for the problems of these peoples. Nations who in the past have granted entry to the victims of political or religious persecutions have never had cause to regret extending such asylum. These persons with their intellectual idealism and toughness will become worthwhile citizens and will keep this Nation strong and respected as a contributor of thought and ideals.

I have asked the Attorney General to submit a draft of legislation to implement the recommendations I have made. The administration stands ready to supply whatever information is necessary to permit appropriate action by the Congress during its present session. If, notwithstanding my specific recommendations, the Congress should enact other or different liberalizations of our immigration law that are constructive, I will be glad to approve them.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *March 17, 1960.*

Mr. DIRKSEN. Mr. President, secondly, I ask unanimous consent to have printed in the RECORD an outline of the administration's immigration bill; which deals with revision of quota system, including quota computation, quota basis, quota figures, quota allocation, unused quota numbers, Asia-Pacific triangle, new political entities; refugee provisions, including definition, admission, and status; Asian spouses; and visa applications.

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

OUTLINE OF ADMINISTRATION'S IMMIGRATION BILL

I. REVISION OF QUOTA SYSTEM

A. Quota computation

1. Present quotas computed on basis of white U.S. population.

2. Proposed quotas to be computed on total U.S. population.

B. Quota basis

1. Present quota based on 1920 census.

2. Proposed quota to be based on—

(a) The 1950 census.

(b) The 1960 census, when available.

C. Quota figures

1. Presently, based on 1920 white United States population, 154,657.

2. Proposed, based on 1950 total United States population, 256,000.

3. Proposed, based on 1960 total United States population, 300,000 (estimated).

D. Quota allocation

1. Present quota of 154,657 continued to be allocated as at present.

2. Quota of each minimum quota area raised from 100 to 200.

3. Remainder of quota increase to be distributed among the several quota areas in proportion to total immigration to United States from each area between July 1, 1924, and July 1, 1959.

E. Unused quota numbers

1. At present, unused quota numbers are forever lost.

2. As proposed, unused quota numbers are to be placed in a pool.

(a) Each oversubscribed quota area shares in pool in proportion to relationship between its proclaimed quota and the aggregate quota of all other oversubscribed areas.

F. Asia-Pacific triangle (20 nations)

1. Presently, has quota ceiling of 2,000 (100 to each existing nation).

2. As proposed, ceiling is eliminated although each affected nation continues to have quota of 100.

G. New political entities

1. Guaranteed quotas of not less than the total of subquotas or minimum quotas previously applicable to areas involved.

II. REFUGEE PROVISIONS

A. Definition

1. "Refugee" is an alien—

(a) Who has fled Communist area or country in Middle East to escape persecution based on race, religion, or political opinion; or

(b) Who is away from and unable to return to his usual place of abode because of natural calamity, military operations, or political upheaval; and

(c) Is in a non-Communist area; and

(d) In need of resettlement help.

B. Admission

1. President, by proclamation may direct the Attorney General to parole into United States refugees selected by Secretary of State, upon finding—

(a) Existence of refugees;

(b) It is in the interests of the United States to permit them entry.

2. Without Presidential proclamation Attorney General has authority to parole into United States—

(a) Ten thousand refugees;

(b) Refugees to be selected by Secretary of State.

C. Status

1. Attorney General may adjust status of admitted refugee to that of alien lawfully admitted for permanent residence if alien—

(a) In United States for 2 years;

(b) Person of good moral character;

(c) Adjustment of status not contrary to national welfare, safety, or security.

2. Attorney General reports to Congress each adjustment of status case—

(a) Adverse resolution of either House before close of congressional session next following the report requires Attorney General to call for departure of alien from United States.

III. ASIAN SPOUSE

1. Asian spouse to be chargeable to the quota of accompanying spouse.

2. Asian spouse of native of Western Hemisphere country to be classified as nonquota immigrant if accompanying or following to join such spouse.

IV. VISA APPLICATIONS

1. Applications for visas no longer to require information as to applicant's race or ethnic classification.

Mr. DIRKSEN. Mr. President, in connection therewith I ask unanimous consent to have the bill in its entirety printed at this point in the RECORD.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1151) be amended to read as follows:

"Sec. 201. (a)(1) The annual quota shall be a number equal to one-sixth of 1 per centum of the number of inhabitants in the United States in 1950, as determined by the United States census of 1950: *Provided,* That when the 1960 census is completed, the annual quota shall be a number equal to one-sixth of 1 per centum of the number of inhabitants in the United States in 1960, as determined by the United States census of 1960.

"(2) The annual quota shall be distributed in the following manner:

"(A) Each quota area shall first be allotted the same quota as it received under the law in existence prior to the enactment of this Act;

"(B) The minimum quota for each minimum quota area as heretofore determined under the law in existence prior to the enactment of this Act shall be increased by one hundred numbers, and the total of such increases shall be deducted from the remainder of the annual quota;

"(C) The remainder of the annual quota shall then be distributed among the several quota areas in proportion to the actual immigration into the United States of immigrants chargeable to each such quota area between July 1, 1924, and July 1, 1959.

"(b) The determination of the annual quota of any quota area shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly. Such officials shall, jointly, report to the President the quota of each quota area, and the Secretary of State shall proclaim and make known the quotas so reported. Such determination and report shall be made and such proclamation shall be issued as soon as practicable after the date of enactment of this Act. Quotas proclaimed therein shall take effect on the first day of the fiscal year, or the next fiscal half year, next following the expiration of six months after the date of the proclamation, and until such date the existing quotas proclaimed under the Immigration and Nationality Act shall remain in effect. After the making of a proclamation under this subsection the quotas proclaimed therein shall continue with the same effect as if specifically stated herein and shall be final and conclusive for every purpose, except (1) insofar as it is made to appear to the satisfaction of such officials and proclaimed by the Secretary of State, that an error of fact has occurred in such determination or in such proclamation, or (2) in the case provided for in section 202(e).

"(c) Except as otherwise provided in subsection (f), there shall be issued to quota immigrants chargeable to any quota (1) no more immigrant visas in any fiscal year than the quota for such year, and (2) in any calendar month of any fiscal year, no more immigrant visas than 10 per centum of the quota for such year; except that during the

last two months of any fiscal year immigrant visas may be issued without regard to the 10 per centum limitation contained herein.

"(d) Nothing in this Act shall prevent the issuance (without increasing the total number of quota immigrant visas which may be issued) of an immigrant visa to an immigrant as a quota immigrant even though he is a nonquota immigrant.

"(e) The quota numbers available under the annual quotas of each quota area proclaimed under this Act shall be reduced by the number of quota numbers which have been ordered to be deducted from the annual quotas authorized prior to the effective date of the annual quotas proclaimed under this Act under—

"(1) section 19(c) of the Immigration Act of 1917, as amended;

"(2) any other Act of Congress enacted prior to the effective date of the quotas proclaimed under this Act: *Provided*, That the quota deductions required under the provisions of the Displaced Persons Act of 1948, as amended, the Act of June 30, 1950 (64 Stat. 306), and the Act of April 9, 1952 (66 Stat. 50), are hereby terminated effective July 1, 1957.

"(f)(1) Quota numbers of all quota areas authorized under the provisions of subsection (a), which have not been issued or otherwise used at the termination of a fiscal year, shall be assigned to a quota pool.

"(2) The Secretary of State shall, at the end of each fiscal year, determine the amount of quota numbers in the quota pool. He shall proclaim the number thereof on or before October 1 following the end of each fiscal year. The quota numbers so determined and proclaimed by the Secretary of State shall be available for use in the following manner, during the ensuing twelve-month period, beginning October 1 and ending September 30 of the following year:

"(A) The quota numbers in the quota pool shall be available for visa issuance to qualified quota immigrants chargeable to the quotas of the quota areas whose quotas have been oversubscribed during the previous fiscal year in the following manner: Each quota of such quota area shall receive a percentage of the number of visas in the quota pool equal to the percentage that its quota proclaimed by the President bears to the aggregate of the quotas of all those quota areas whose quotas were oversubscribed during such previous fiscal year.

"(B) The exceptions to the determination of quota to which an immigrant is chargeable, specified in section 202(a) in respect to quota areas, shall apply in determining the quota area to which an immigrant is chargeable under this subsection;

"(C) Immigrant visas shall be issued to qualified quota immigrants under this subsection in the manner and to the preference classes specified in paragraphs (1), (2), (3), and (4) of section 203(a). An eligible immigrant shall be entitled to receive such a visa only if there is not immediately available to him an immigrant visa under the quota specified in subsection (a);

"(D) Quota immigrant visas issued to aliens under this subsection shall be issued in the order specified in section 203 (b) and (c) of this Act;

"(E) There shall be issued to quota immigrants under this subsection in any calendar month of the twelve-month period specified in this paragraph no more immigrant visas than 10 per centum of the respective percentage of the quota pool to which the particular quota area may be entitled, except that during the last two months of such period immigrant visas may be issued without regard to the 10 per centum limitation contained herein;

"(F) Quota numbers not issued or otherwise used under this subsection during the twelve-month period specified in this paragraph shall not be available for issuance or other use at any other time."

SEC. 2. Section 202(c) of the Immigration and Nationality Act (66 Stat. 177; 8 U.S.C. 1152(c)) is amended to read as follows:

"(c) Any immigrant born in a colony or other component or dependent area of a governing country for which no separate or specific quota has been established, unless a nonquota immigrant as provided in section 101(a)(27) of this Act, shall be chargeable to the quota of the governing country, except that (1) not more than two hundred persons born in any one such colony or other component or dependent area overseas from the governing country shall be chargeable to the quota of its governing country in any one year, and (2) any such immigrant, if attributable by as much as one-half of his ancestry to a people or peoples indigenous to the Asia-Pacific triangle, shall be chargeable to a quota as provided in subsection (b) of this section. Immigrant visas authorized under the provisions of subsection (f) of section 201, as amended, shall not be available to persons born in any colony or other component or dependent area described in this subsection."

SEC. 3. Section 202(e) of the Immigration and Nationality Act (66 Stat. 178; 8 U.S.C. 1152(e)) is amended to read as follows:

"(e) After the determination of quotas has been made as provided in section 201, revision of the quotas shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, whenever necessary, to provide for any change of boundaries resulting in transfer of territory from one sovereignty to another, a change of administrative arrangements of a colony or other dependent area, or any other political change, requiring a change in the list of quota areas or of the territorial limits thereof. In the case of any change in the territorial limits of quota areas, not requiring a change in the quotas for such areas, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all consular offices concerning the change in the territorial limits of the quota areas involved. Whenever one or more colonies or other component or dependent areas overseas from the governing country, or one or more quota areas have been subject to a change of administrative arrangements, a change of boundaries, or any other political change, the annual quota of the newly established quota area or the number of visas authorized to be issued under section 202(c)(1), notwithstanding any other provision of this Act, shall not be less than the sum total of quotas in effect or number of visas authorized for the area immediately preceding the change of administrative arrangements, change of boundaries, or other political change."

SEC. 4. Paragraph (5) of subsection (d) of section 212 of the Immigration and Nationality Act (66 Stat. 188; 8 U.S.C. 1182(d)(5)), is amended (1) by inserting "(A)" after "(5)" at the beginning of such paragraph and (2) by adding the following additional subparagraph:

"(B) (i) As used in this paragraph, the term 'refugee' means any alien (A) who because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee from any Communist, Communist-dominated, or Communist-occupied area, or from any country within the general area of the Middle East, and who cannot return to such area or country on account of race, religion, or political opinion, or (B) who is out of his usual place of abode because of a natural calamity, military operations, or political upheaval, and who is unable or unwilling to return to his usual place of abode, and (C) who is in a country or area which is neither Communist nor Communist dominated, and (D) who has not been firmly resettled and is in urgent need of assistance for the essentials of life.

"(ii) Whenever the President shall find that a situation has arisen causing the creation of a class or classes of aliens who fall within the meaning of the term 'refugee' as defined in this paragraph and that it would be in the interests of the United States to permit the prompt entry into the United States of refugees, he may by proclamation direct the Attorney General to parole into the United States refugees selected by the Secretary of State: *Provided*, That the Attorney General is authorized, in the absence of any such proclamation by the President, to parole into the United States refugees selected by the Secretary of State, and their accompanying spouses and unmarried sons or daughters under twenty-one years of age, including stepsons and stepdaughters and adopted sons and adopted daughters, except that the total number of aliens paroled into the United States under this proviso in any fiscal year shall not exceed 10,000."

SEC. 5. Subsection (d) of section 212 of the Immigration and Nationality Act (66 Stat. 188; 8 U.S.C. 1182(d)) is hereby amended by adding a new additional paragraph (9) reading as follows:

"(9) (A) Notwithstanding any other provisions of this Act or any other law, any alien who is or has been paroled into the United States by the Attorney General under the authority of paragraph (5) of this subsection and has not otherwise acquired permanent residence status in the United States may apply to the Attorney General for adjustment of his status to that of an alien lawfully admitted for permanent residence.

"(B) If it shall appear to the satisfaction of the Attorney General that the alien has remained in the United States for at least two years, is a person of good moral character, and that such action would not be contrary to the national welfare, safety, or security, the Attorney General, in his discretion, may record the alien's lawful admission for permanent residence as of the date of the alien's last arrival in the United States. A complete and detailed statement of the facts and pertinent provisions of law in the case shall be reported to the Congress with the reasons for such adjustment of status. Such reports shall be submitted on the first and fifteenth day of each calendar month in which Congress is in session. If during the session of the Congress at which a case is reported, or prior to the close of the session of Congress next following the session at which a case is reported, either the Senate or the House of Representatives passes a resolution stating in substance that it does not favor the adjustment of status of such alien, the Attorney General shall thereupon require the departure of such alien in the manner provided by law. If neither the Senate nor the House of Representatives passes such a resolution within the time above specified, the alien shall be regarded as lawfully admitted to the United States for permanent residence as of the date of the alien's last arrival in the United States."

SEC. 6. Section 202(a)(5) of the Immigration and Nationality Act (66 Stat. 177; 8 U.S.C. 1152(a)(5)) is amended to read as follows:

"(5) Notwithstanding the provisions of paragraphs (3) and (4) of this subsection, any alien who is attributable by as much as one-half of his ancestry to a people or peoples indigenous to the Asia-Pacific triangle defined in subsection (b) of this section, unless such alien is entitled to a nonquota immigrant status under paragraph (27)(A), (27)(B), (27)(D), (27)(E), (27)(F), or (27)(G) of section 101(a), shall be chargeable to a quota as specified in subsection (b) of this section: *Provided*, That the spouse or child of an alien defined in

section 101(a)(27)(C), if accompanying or following to join him, shall be classified under section 101(a)(27)(C), notwithstanding the provisions of subsection (b) of this section."

SEC. 7. Section 222 of the Immigration and Nationality Act (66 Stat. 193; 38 U.S.C. 1202), is amended by deleting from subsection (a) the language "race and ethnic classification;", and by deleting from subsection (c) the language "his race and ethnic classification:".

Mr. DIRKSEN. Mr. President, finally, because this is pertinent information, I ask unanimous consent to have printed in the RECORD an estimated quota increase based on immigration between July 1, 1924, and July 1, 1959, and probable 1960 census figures.

Those are the new suggested years as a basis for the additional quota numbers.

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

Estimated quota increase based on immigration between July 1, 1924, and July 1, 1959, and probable 1960 census figures

Quota area	Immigrants admitted from quota areas [1] (1)	Percent from quota areas (2)	Annual quota in 1959 (3)	Increase in minimum quota (4)	Quota increase (5)	Total quota (6)
All quota areas	3,772,388	100.000	154,887	5,900	139,213	300,000
Europe	3,565,848	94.525	149,597	900	131,591	282,088
Albania	6,171	.164	100	100	228	428
Andorra	48	.001	100	100	1	201
Austria	51,326	1.360	1,405	--------	1,893	3,298
Belgium	29,860	.792	1,297	--------	1,103	2,400
Bulgaria	4,293	.114	100	100	159	359
Czechoslovakia	89,163	2.363	2,859	--------	3,290	6,149
Danzig, Free City of	3,651	.097	100	100	135	335
Denmark	35,895	.952	1,175	--------	1,325	2,500
Estonia	14,609	.387	115	--------	539	654
Finland	15,645	.415	566	--------	578	1,144
France	95,162	2.522	3,069	--------	3,511	6,580
Germany	823,446	21.828	25,814	--------	30,387	56,201
Great Britain and Northern Ireland	639,082	16.941	65,361	--------	23,584	88,945
Greece	70,571	1.871	308	--------	2,605	2,913
Hungary	83,226	2.206	865	--------	3,071	3,936
Iceland	2,525	.067	100	100	93	293
Ireland	251,140	6.657	17,756	--------	9,267	27,023
Italy	386,929	10.257	5,666	--------	14,279	19,945
Latvia	44,315	1.175	235	--------	1,636	1,871
Liechtenstein	275	.007	100	100	10	210
Lithuania	39,365	1.044	384	--------	1,453	1,837
Luxembourg	2,368	.063	100	100	88	288
Monaco	303	.008	100	100	11	211
Netherlands	76,358	2.024	3,136	--------	2,818	5,954
Norway	72,696	1.927	2,364	--------	2,683	5,047
Poland	319,175	8.461	6,488	--------	11,779	18,267
Portugal	27,448	.728	438	--------	1,013	1,451
Rumania	38,203	1.013	289	--------	1,410	1,699
San Marino	1,693	.045	100	100	63	263
Spain	19,370	.513	250	--------	714	964
Sweden	78,081	2.070	3,295	--------	2,882	6,177
Switzerland	38,449	1.019	1,698	--------	1,419	3,117
Turkey	19,849	.526	225	--------	732	957
Union of Soviet Socialist Republics	99,297	2.632	2,697	--------	3,664	6,361
Yugoslavia	85,861	2.276	942	--------	3,168	4,110
Asia	160,529	4,255	3,090	2,800	5,924	11,814
Afghanistan	154	.004	100	100	6	206
Arabian Peninsula	234	.006	100	100	8	208
Asia-Pacific	--------	--------	100	100	--------	200
Bhutan	24	.001	100	100	1	201
Burma	520	.014	100	100	20	220
Cambodia	5	--------	100	100	--------	200
Ceylon	225	.006	100	100	8	208
China and Chinese persons	47,720	1.265	205	100	1,762	2,067
Asia—Continued						
Guinea	--------	--------	100	100	--------	200
India	5,944	.158	100	100	220	420
Indonesia	5,579	.148	100	100	206	406
Iran	4,579	.121	100	100	169	369
Iraq	2,813	.074	100	100	103	303
Israel	7,875	.209	100	100	291	491
Japan	45,335	1.202	185	--------	1,674	1,859
Jordan	2,548	.068	100	100	95	295
Korea	5,614	.149	100	100	208	408
Laos	1	--------	100	100	--------	200
Lebanon	3,084	.082	100	100	114	314
Malaya, Federation of	232	.006	100	100	8	208
Muscat (Oman)	5	--------	100	100	--------	200
Nepal	11	--------	100	100	--------	200
Pakistan	795	.021	100	100	29	229
Palestine, Arab	6,548	.174	100	100	242	442
Philippines	19,483	.516	100	100	718	918
Saudi Arabia	49	.001	100	100	1	201
Thailand	319	.008	100	100	11	211
Vietnam	219	.006	100	100	8	208
Yemen	614	.016	100	100	22	222
Africa	22,538	.598	1,600	1,600	832	4,032
Cameroons (British)	29	.001	100	100	1	201
Cameroun (French)	18	.001	100	100	1	201
Ethiopia	343	.009	100	100	13	213
Ghana	106	.003	100	100	4	204
Liberia	317	.009	100	100	13	213
Libya	642	.017	100	100	24	224
Morocco	2,911	.077	100	100	107	307
Ruanda-Urundi	10	--------	100	100	--------	200
Somaliland	13	--------	100	100	--------	200
South-West Africa	128	.003	100	100	4	204
Sudan	163	.004	100	100	6	206
Tanganyika	116	.003	100	100	4	204
Togo	8	--------	100	100	--------	200
Tunisia	860	.023	100	100	32	232
Union of South Africa	4,172	.111	100	100	154	354
United Arab Republic	12,702	.337	100	100	469	669
Oceania	23,473	.622	600	600	866	2,066
Australia	17,257	.457	100	100	636	836
Nauru	7	--------	100	100	--------	200
New Guinea	30	.001	100	100	1	201
New Zealand	5,355	.142	100	100	198	398
Pacific Islands (Trust Territories)	464	.012	100	100	17	217
Samoa, Western	360	.010	100	100	14	214

[1] In addition, 1,803,773 immigrants were admitted from nonquota countries.

Mr. DIRKSEN. Mr. President, the bill does preserve the so-called national origins concept and modifies it in some particulars, so that instead of 154,000 immigrants a year the number is estimated at roughly 300,000 or a little more. I believe the breakdown of the figures will be extremely helpful to the Members in a discussion of this whole matter, and that the whole body of material should be at one place in the RECORD.

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

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

The bill (S. 3225) to amend the Immigration and Nationality Act so as to modernize and liberalize the quota system and provide for the admission of persecuted peoples, and for other purposes, introduced by Mr. DIRKSEN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the bill lie on the table for the rest of the day, in case other Members would like to join in sponsorship.

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

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

Mr. DIRKSEN. I yield.

Mr. JAVITS. Mr. President, I am very honored to be a cosponsor of the administration bill.

Mr. President, we seem to have almost a tacit acceptance of the fact that there is a roadblock in regard to immigration and that we shall not get anywhere—that the only thing we will be allowed to do are some peripheral things concerning orphans and concerning some refugees and escapees.

Mr. President, again I say, this is a time when the majority of the Senate has a chance to assert itself. I hope very much the majority will be fully informed that the administration backs a modern and intelligent approach to reform of the immigration law, which is unjust as it stands and defies our role as a world leader.

I hope very much, Mr. President, since we talk constantly about the fact that the majority will assert its will, that the majority will assert its will in respect to seeing that this measure is not roadblocked by whatever those in seats of control may feel about it.

Mr. KEATING subsequently said: I was very happy, Mr. President, to join with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]

as a cosponsor of the immigration bill which has been recommended by President Eisenhower. I hope to obtain recognition later in the day to say something more on this subject. I do not want to infringe upon the 3-minute rule.

Mr. President, allegations have been made on the floors of both bodies of Congress and elsewhere that this is purely a political move. That statement, in effect, was made yesterday on this floor. I challenged it at the time, and I pointed out repeated instances in which the President of the United States and the Attorney General have recommended specific action in this field, to modernize and to bring up to date our immigration laws, as well as to remove discriminatory features from our immigration laws.

I shall later in the day document this, because I have now received more information as to the specific times from 1952 to date when the attention of Congress has been called to this problem and action requested.

AMENDMENT OF SECTION 809 OF THE NATIONAL HOUSING ACT

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to amend section 809 of the National Housing Act. This bill changes existing law to permit essential employees engaged in work of the National Aeronautics and Space Administration to obtain needed housing with the assistance of mortgage insurance by the Federal Housing Administration.

Section 809 was added to the National Housing Act in 1956 to help solve the housing problems of essential civilian employees of research and development installations of the military departments.

This program has been very helpful in areas surrounding Cocoa and Eglin Air Force Bases, Fla.; China Lake, Calif.; and Redstone Arsenal at Huntsville, Ala.

The program functions in this manner: First, the Secretary of Defense designates a base as a research and development installation; second, the Secretary then determines the housing requirements of the essential civilian employees of that installation, and on the basis of this determination issues certificates to essential employees needing housing; third, when the employee finds a home commensurate with his need, the certificate is presented to the FHA and the employee is eligible to obtain an FHA-insured loan; and fourth, the Secretary guarantees the FHA against loss on the transaction.

Thus far this program has worked very successfully. As of December 31, 1959, the Secretary had certified the need for 6,275 dwelling units at research and development installations, and had guaranteed the FHA against loss on loans made by approximately 3,355 essential civilian employees.

Administrative jurisdiction over certain research and development installations has been transferred from the Department of Defense to the National Aeronautics and Space Administration. While these transfers do not alter the intent of section 809 of the National Housing Act, it has been concluded by the housing agency and the Space Agency that this program as presently constituted would not be available to essential employees of the Space Agency at the installations so transferred. The reason for this conclusion is that the Administrator of NASA cannot certify eligible employees and cannot guarantee the FHA against loss; and the Secretary of Defense no longer has jurisdiction.

My amendment is designed to overcome this technical difficulty, so that essential civilian employees at installations transferred from the Defense Department to the National Aeronautics and Space Administration may use this program to obtain needed housing.

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

The bill (S. 3226) to amend section 809 of the National Housing Act, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

INCREASED PENALTY FOR GIVING FALSE INFORMATION CONCERNING DESTRUCTION OF AIRCRAFT AND MOTOR VEHICLES

Mr. BUTLER. Mr. President, I have had my attention recalled to a problem which has been a thorn in the side of the aircraft industry for some number of years—that of the bomb hoax.

During the 1st session of the 85th Congress, I introduced a bill, S. 1963, which would raise the penalty from a $1,000 fine or 1 year in jail, or both, to a $5,000 fine or 5 years in jail, or both, for persons convicted of knowingly giving false information concerning the destruction of aircraft or motor vehicles. That bill was passed by the Senate on May 21, 1958, but died in the House Judiciary Committee.

S. 1963 was prompted by the increasing number of instances in which individuals—pranksters primarily—had given false or misleading information relating to the presence of bombs on airplanes with a resultant disruption of the orderly operation of the aircraft carrier. Such reports cause a serious inconvenience to the air carrier and those utilizing the service—not to mention the added expense involved.

I have been informed by the members of the industry that the bomb-hoax problem is as prevalent today as it ever was, if not more so. The problem was apparently unheard of prior to about 5 years ago. When the incidents began, there was no penalty for the action, but Congress soon filled that void when on July 14, 1956, it passed Public Law 709. That law provided for the present penalty of 1 year in jail or a $1,000 fine, or both. While the imposition of the penalty served as a deterrent, it was apparently inadequate since the hoaxes did continue. From September 1957, through December 1959, there were 142 hoax incidents, an average of 5 per month. In January of this year, however, there were 16 instances. This presents an intolerable situation as the inconvenience of a hoax every other day can readily be seen.

The problem of how to combat the situation, however, is, to say the least, most difficult. Both the airlines and the national news media have made efforts, as has the Congress of the United States.

The airlines have educated their employees on the problem so that they will remain constantly alert for possible infractions. They have even given awards to certain employees who have, as a result of their alertness, caused the arrest and conviction of violators.

There is little doubt that the hoaxer thrives in the bright glare of publicity. The FBI, police officials, and psychiatrists all agree that for a hoaxer to be satisfied, he must read of his dirty work, or hear it described over radio or TV.

Most news media understand this and have cooperated wholeheartedly by either not carrying stories of a hoax, or if they did carry the story, they were careful to include the fact that there is a penalty attached. And when the hoaxer has been apprehended, the media have often given good coverage to the proceedings, operating on the theory that this will serve as an example that hoaxes just do not pay.

In fact, in the long run, the news media of the Nation are the single most critical factor in the diminution of the hoax problem.

There is general agreement that if every newspaper, every radio station, and every TV station, agreed with one single accord not to carry a line about a hoax—and this includes not only hoaxes about commercial airlines, but also about schools, churches, and so forth—the hoaxer would curtail severely his activity.

There have been encouraging signs that the news media are becoming increasingly aware of the problem and are taking definite steps to erase the hoaxer by the simple means of ignoring him.

Certainly the news media are to be commended for their interest in the problem, and it reaffirms the belief that we all have in the integrity of the Nation's newspapers, wire services, broadcasting stations, and networks.

While it is desirable to eliminate or minimize publicity on bomb hoaxes themselves, at the same time it is necessary that potential hoaxers be made aware of the seriousness of this crime which is already a violation of Federal law. Moreover, it seems clear in view of the severity of the problem that there must be a correspondingly severe penalty.

Only yesterday, within 2 hours of the tragic explosion of a plan over Indiana, a bomb hoax was reported at Chicago's Midway Airport, causing passengers needless worry, police needless work, and airlines needless delay and expense.

These bomb hoaxers must be made to understand that they are not playing a game but committing a serious crime.

I am, therefore, at this time reintroducing my bill to raise the penalties to $5,000 or 5 years in jail, or both, and urging speedy action by the Judiciary Committee with the hope that the increased penalty, and publication thereof,

will act as a deterrent to those who engage in this type of vicious activity.

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

The bill (S. 3230) to amend section 35 of title 18 of the United States Code so as to increase the punishment for knowingly giving false information concerning destruction of aircraft and motor vehicles, introduced by Mr. BUTLER, was received, read twice by its title, and referred to the Committee on the Judiciary.

DEPARTMENT OF COMMERCE APPROPRIATION BILL, 1961—AMENDMENT

Mr. SPARKMAN. Mr. President, on behalf of myself, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Montana [Mr. MURRAY], the Senator from Utah [Mr. MOSS], and the Senator from Kentucky [Mr. COOPER], I submit an amendment, intended to be proposed by us, jointly, to H.R. 10234, the bill making appropriations for the Department of Commerce and related agencies for the fiscal year 1961.

The purpose of the amendment is to include an appropriation of $2,080,000 for the program of grants for studies, research and counseling under section 7(d) of the Small Business Act.

Section 7(d) of the Small Business Act, as amended by the Small Business Investment Act of 1958, provides for a program of grants to any State government, or any agency thereof, State-chartered development credit or finance corporations, land-grant colleges and universities, and colleges and schools of business, engineering, commerce, or agriculture for studies, research, and counseling concerning the managing, financing, and operation of small business enterprises. The act provides that no grant shall exceed $40,000 annually and that only one grant shall be made in any State.

The Small Business Administration included in its 1961 submission to the Bureau of the Budget a request for an appropriation of $2,080,000 for this program, which was denied. According to a letter dated February 10, 1960, addressed to the Senator from Arkansas [Mr. FULBRIGHT] by the Administrator of SBA, "the administration's decision on this matter reflected doubts as to the intrinsic value of the program relative to other demands on the budget and the view that further funding of the program should be deferred until the results of the 1959 program were available and could be evaluated."

Curiously enough, however, the President's Economic Report, chapter 4, "A Legislative Program for 1960," under the subchapter entitled "Small Business," lists this program as one of several small business programs which also contribute to the competitive quality of our enterprise economy. In other words, the President's Economic Report gives no indication that the program is to be allowed to expire and, on the contrary, cites it as one of the beneficial administration programs contributing to the economy.

As I have indicated above, this program had its inception in the bill which became the Small Business Investment Act of 1958. Senators will recall that this bill, in various forms, had been pending before the Congress for about a decade. The Senate Committee on Banking and Currency finally approved the bill on the basis of a thorough study by the Federal Reserve Board and after extensive hearings. In the course of these studies and hearings, information was developed that two of the most important needs of the small business segment of the economy were first, access to long-term aid equity capital and second, improved management. The bill which was then reported was designed to approach both of these needs, first by chartering and assistance in the financing of small business investment companies and State and local development companies, and second by providing for a program which would assist small business concerns in improving management.

In the long run it is quite possible that the contributions which this program can make toward improved management of small business concerns may well be more important than the assistance which the bill gives to access to long-term and equity capital.

Often a small business enterprise is created by a person or a group of persons who may be quite capable in one line of business endeavor, but who have not the time nor the resources to develop all the talents and to acquire all the knowledge necessary to a growing enterprise in a competitive economy. Often financial difficulties of these companies have resulted from a management or technical deficiency which additional funds alone could not solve. While large businesses may overcome these difficulties by hiring executives or obtaining professional advice, small businesses are often not able to do so, and even when able, may not be informed as to the type and accessibility of the assistance which they need. While there are many Federal Government programs such as those of the Department of Commerce and the Small Business Administration itself, and there is a vast body of information available locally, there is great difficulty in bringing this information to bear on a particular business problem at the proper time. Conceivably, this program of research and counseling in small business problems could be as fruitful to this segment of our economy as the program of agricultural research and extension has been to the farm economy. At any rate, I know it is a very promising step forward.

In the bill which became the Small Business Investment Act of 1958, this program of grants for studies, research, and counseling was to have been financed from funds which had been held by Federal Reserve banks under section 13(b) of the Federal Reserve Act. This amount of approximately $27.5 million had been provided many years ago, not from appropriated funds but, through a rather complicated process, which I shall not attempt to describe here, through the repayment to Federal Reserve banks of their subscription to the capital stock of the FDIC. The fund was held under section 13(b) of the Federal Reserve Act as a program for small business lending by the Federal Reserve banks. As it had never been an appropriated fund, and had been devoted largely to the benefit of small business, the committee thought it proper to transfer the fund to this program. It was believed that the program required continuity. However, in the Commerce Department appropriation bill for 1960 the Committees on Appropriations rescinded the fund and provided that the remaining sum, after fiscal year 1960, be covered into the Treasury—Public Law 86-88. This action, while probably not intended, had the effect of leaving SBA without authority for appropriations to finance the grants after fiscal 1960.

The Subcommittee on Small Business, under the chairmanship of the Senator from Wisconsin [Mr. PROXMIRE], reopened the question of reauthorizing the program in hearings held in June and July of 1959. As a result, S. 2612—Public Law 86-367—was enacted authorizing the continuation of the program on an appropriated basis.

I mention this history to indicate there is authority for this appropriation and to emphasize the fact that the Committee on Banking and Currency has twice gone into the matter very carefully, and has twice authorized the program. There is now pending before the Committee on Banking and Currency a bill in the form of a committee print, which has been reported by the Small Business Subcommittee to the full committee, making other changes in the program. For example, it permits matching of funds provided in the program by grantees and, under certain circumstances, requires matching. It also permits two or more eligible grantees to form a corporation to receive grants and to enable the coordination desired in some States by two or more of the eligible grantees.

Of the approximately 4½ million small business firms in the United States, hundreds go out of business every year. Not all of them are bankrupt, but many go out of business due to the retirement of owners, inability to obtain adequate management to carry on the business profitably, and for many other reasons. For those business concerns that are on a going basis, however, the need for facts to assist the managers to make wise and correct decisions is very great. Big, established organizations usually have adequate financial resources upon which they can draw for research, technical assistance, and counseling. Small concerns in most cases do not have such resources, yet they must compete with larger firms.

Dun & Bradstreet lists poor management as the leading cause of business failures. In a study of 9,162 business failures during 1950, Dun & Bradstreet found that over 85 percent of the underlying causes were those ascribed to poor management. Many of these cases could have been avoided if the managers had possessed more accurate facts upon

which to rely in the management of their organizations. A program of grants of up to $40,000 in each State, of course, will not cure all the management deficiencies of our small business economy. However, there is a great deal of evidence in hearings before the Committee on Banking and Currency that this fund, under the administration of the SBA, can serve as a catalytic agent in devising plans and programs within States which can themselves give a great deal of impetus to better management. For example, the fund, if matched by the recipient agency, can provide a framework under which colleges, universities, State development agencies or departments of commerce, State chambers of commerce, banks, and local development corporations can each make intelligent and practical contributions to better management of small businesses within the State.

A framework for a Federal-State relationship for research and counseling with business can be created whereby much information at both the Federal and State levels may be channeled into effective use by local groups.

It would be a great mistake to terminate this program after only 2 years' operation; that is, in fiscal years 1959 and 1960. Most of the grants which have been made so far have been for the purpose of research.

I ask unanimous consent that there may be printed in the RECORD at this point a list showing the grants made in fiscal 1959. This list indicates the recipient, the amount, and the title of the research projects.

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

LIST OF GRANTS IN FISCAL 1959

GRANTEES, 1959—SMALL BUSINESS RESEARCH GRANT PROGRAM

1. Alabama, $40,000.

Grantee: University of Alabama, University, Ala.

Project director: Paul W. Paustian.

Title of research project: "A Proposal To Investigate the Prevalence of Small Business in the Alabama Economy and To Study the Problems of Small Business in Selected Fields of Operation."

2. Alaska, $28,873.

Grantee: University of Alaska, College, Alaska.

Project director: Vernon R. Kiely.

Title of research project: "Wholesale-Retail Functions and Warehouse Facilities in Fairbanks and Anchorage, Alaska: The Development and Possibilities for Expansion."

3. Arizona, $38,860.

Grantee: Arizona State University, Tempe, Ariz.

Project director: William A. Nielander.

Title of research project: "Basic Patterns of Operation of Selected Small Business in Arizona."

4. Arkansas, $40,000.

Grantee: University of Arkansas, Little Rock, Ark.

Project director: John M. Peterson.

Title of research project: "Studies of Small Business Problems in Major Arkansas Industries: (1) Marketing Prospects in Major Arkansas Industries; (2) Economic Problems of Arkansas Sawmills; (3) Management Staffing Needs in Sawmills; (4) Business Budgeting for Independent Department Stores."

5. California, $40,000

Grantee: San Diego State College, San Diego, Calif.

Project director: Charles W. Lamden.

Title of research project: "A Study of the Problems of Small Electronics Manufacturing Companies in Southern California."

6. Colorado, $40,000

Grantee: University of Colorado, Boulder, Colo.

Project director: L. J. Crampon.

Title of research project: "(1) Informational Needs and Problems of Small Businesses in the Mountain States; (2) Management Case Studies of Small Business Operation in the Mountain States; (3) The Generation and Selection of New Product Ideas for Small Manufacturers in the Mountain States."

7. Connecticut, $40,000.

Grantee: University of Connecticut, Storrs, Conn.

Project director: L. J. Ackerman.

Title of research project: "Problems of Manufacturers in Connecticut and Effects of Shopping Centers on Small Retailers: (1) Mortality Experiences in Connecticut Manufacturing Establishments; (2) Personnel Factors in Manufacturing Plant Location in Metropolitan Hartford, Conn.; (3) Highways as a Factor in the Location of Small Manufacturing Business in the Hartford Area.

(4) Relocation of Business and Industry from Renewal Areas in Connecticut.

(5) Behavior Patterns and Attitudes in the use of External Assistance by Small Manufacturers in the Hartford Area.

(6) Some Effects of the Growth of Planned and Controlled Shopping Centers on Small Retailers."

8. Delaware, $40,000.

Grantee: University of Delaware, Newark, Del.

Project director: Robert L. Bull.

Title of research project: "Success Factors in the Management of Small Food Wholesaling and Retailing Businesses."

9. District of Columbia, $39,905.

Grantee: George Washington University, Washington, D.C.

Project director: A. M. Woodruff.

Title of research project: "Management Advisory Requirements for Small Business Firms: (1) The Need for Management Assistance as Seen Through Analysis of the Experience of 500 New Proprietors; (2) The Need for an Availability of Counseling as Seen Through the Experience of a Structured Sample of 300 Service Agencies."

10. Florida, $40,000.

Grantee: Florida Development Commission, Tallahassee.

Project director: William C. Shelton.

Title of research project: (1) Popularization of Small Business Research; (2) Case Studies in the South Florida Construction Industry.

11. Georgia, $30,705.

Grantee: Georgia Institute of Technology, Atlanta.

Project director: Ernest W. Swanson.

Title of research project: "Identification and Evaluation of Problems and Needs of Small Manufacturing Management."

12. Hawaii, $39,215.

Grantee: University of Hawaii, Honolulu.

Project director: Harold S. Roberts.

Title of research project: "A Study of Business Needs in Hawaii as Compared With Business Failures During the Last 10 Years."

13. Idaho, $7,465.

Grantee: Idaho State College, Pocatello.

Project director: Frank D. Seelye.

Title of research project: "Revenue Quality Control for Motor Common Carriers."

14. Illinois, $38,211.91.

Grantee: University of Chicago, Chicago.

Project director: Michael Gort.

Title of research project: "The Characteristics of Industries and the Economics of Firm Size."

15. Indiana, $40,000.

Grantee: Indiana University, Bloomington.

Project director: S. F. Otteson.

Title of research project: "Adaptation and Development of Management and Financial Controls for Small Business Operations."

16. Iowa, $39,900.

Grantee: State University of Iowa, Iowa City.

Project director: C. Woody Thompson.

Title of research project: "An Interindustry Analysis and Management Audit of the Small Manufacturing Industry in Iowa."

17. Kansas, $39,905.

Grantee: University of Kansas, Lawrence.

Project director: H. K. L'Ecuyer.

Title of research project "Management Strategy in Establishment Sizes Operated by Both Independent and Centrally Controlled Companies."

18. Kentucky, $40,000.

Grantee: University of Kentucky, Lexington.

Project director: James W. Martin.

Title of research project: "An Evaluation of Key Decisions of Small Businesses, With an Emphasis on the Quantitative and Economic Concepts Used in Reaching Those Decisions."

19. Louisiana, $32,329.

Grantee: Louisiana Department of Commerce and Industry, Baton Rouge.

Project director: P. F. Boyer.

Title of research project: "(1) A Guide to Proper Management Planning for Small Business; (2) Determination of the Educational Needs for Small Business Management; (3) Selecting, Developing, and Utilizing Competent Executives into Small Businesses; (4) Adaptive Behavior by Small Businessmen."

20. Maine, $40,000.

Grantee: Maine State Department of Economic Development, Augusta.

Project director: Sulo J. Tani.

Title of research project: "A Survey of Maine's Potentials for Economic Growth: (1) A Study To Review the Current Economic Status of the State of Maine and To Project Areas of Opportunities That Exist for Small Business Enterprises; (2) A Study of the Vacation Industry in Maine; (3) Sources and Availability of Funds to Small Manufacturing Firms in Maine."

21. Maryland, $35,525.

Grantee: Washington College, Chestertown, Md.

Project director: George Soule.

Title of research project: "Small Business in Food Processing, Distribution, and Retailing on the Eastern Shore of Maryland: A Study of Competition With Large Concerns and the Impact of Vertical Integration."

22. Massachusetts, $39,933.75.

Grantee: Babson Institute, Babson Park, Mass.

Project director: Edward Handler.

Title of research project: "Small Business and Large Unions."

23. Michigan, $39,986.

Grantee: University of Michigan, Ann Arbor.

Project director: William M. Hoad.

Title of research project: "A Continuing Analysis of the Management Factors Contributing to the Success or Failure of New Small Businesses (Manufacturing)."

24. Minnesota, $40,000.

Grantee: University of Minnesota, Minneapolis.

Project director: D. C. Basil.

Title of research project: "Basic Planning for Small Business: (1) Management Development as Part of Basic Planning; (2) Transportation Function of Management; (3) Forecasting in Basic Planning; (4) Market Research in Basic Planning; (5) 'Pattern' Collective Bargaining—Emphasis on Iron Ore Mining and Steel Fabrication; (6)

Basic Financial Planning; (7) Planning Organization Structure During Periods of Growth."

25. Mississippi, $40,000.

Grantee: Mississippi Industrial Research Center, Jackson.

Project director: W. Paul Brann.

Title of research project: "Industrial Opportunities for Small Business To Utilize Mississippi's Forest Resources: (1) The Availability, Ownership, Volume, and Characteristics of Forest Resources in Mississippi for New and Expanded Small Manufacturing Industries; (2) Marketing Charcoal Produced in Mississippi; (3) The Potential for Furniture Manufacturing in Mississippi."

26. Missouri, $40,000.

Grantee: Missouri Division of Resources and Development, Jefferson City.

Project director: Richard E. O'Brien.

Title of research project: "The Communication and Information-Gathering Techniques and Behavior of the Small Businessman."

27. Montana, $40,000.

Grantee: Montana State Planning Board, Helena.

Project director: P. F. Roys.

Title of research project:

1. "Research on Operating and Marketing Problems of Small Business Enterprises Engaged in Lead and Zinc Mining."

2. "Analysis of Expansion and Diversification Possibilities for Existing Small Manufacturing Concerns in the State of Montana."

3. "An Investigation of the Training Requirements of Small Business With Regard to the Educational Needs of Prospective Employees."

4. "Research on Small Business Success and Failure in a Natural Resource Economy."

28. New Hampshire, $40,000.

Grantee: New Hampshire State Planning and Development Commission, Concord.

Project director: Charles L. Crangle.

Title of research project: "A Study of the Small Business Sector of the Economy of New Hampshire To Determine the Necessary Economic Climate To Encourage Further Small Business Development."

29. New Jersey, $40,000.

Grantee: New Jersey Department of Conservation and Economic Development, Trenton.

Project director: Joel H. Sterns.

Title of research project: "Defining Problems of Small Business in New Jersey: (1) An Analysis of the Financial Problems of New Jersey's Small Manufacturers; (2) An Analysis of the Financial Problems of the Small Independent Distributors in New Jersey; (3) Direct Investigation Into the Problem of Small Business; (4) An Analysis of the Changing Patterns in New Jersey Retail Businesses."

30. New Mexico, $30,864.

Grantee: University of New Mexico, Albuquerque.

Project director: Ralph L. Edgel.

Title of research project: "Expansion of Food Manufacturing in New Mexico."

31. New York, $40,000.

Grantee: Syracuse University, Syracuse.

Project director: Donald H. Davenport.

Title of research project: "An Evaluation of the Interrelationships Between Large Manufacturers and Small Suppliers."

32. North Carolina, $39,805.

Grantee: Duke University, Durham.

Project director: F. Hodge O'Neal.

Title of research project: "Research in the Legal and Economic-Legal Aspects of Small Business Planning."

33. North Dakota, $40,000.

Grantee: University of North Dakota, Grand Forks.

Project director: R. D. Koppenhaver.

Title of research project: "(1) Industrial Market Potentials for Selected North Dakota Agricultural Commodities; (2) The Development of Accounting and Statistical Data for Small Business Management."

34. Ohio, $40,000.

Grantee: The Ohio State University Research Foundation, Columbus.

Project director: James C. Yocum.

Title of research project: "Adaptation of Manualized Business Procedures to Small Business Needs."

35. Oklahoma, $40,000.

Grantee: Oklahoma Department of Commerce and Industry, Oklahoma City.

Project director: Raymond D. Thomas.

Title of research project: "(1) Factors Which Determine the Economic Survival of Small Business Firms in Several Important Industries and Trades in Oklahoma; (2) Factors Which Should Determine the Location of Small Retail Firms; (3) Factors Which Determine the Managerial Efficiency and Profitableness of Small Business Organizations in the Motor Freight Industry; (4) Factors Which Determine the Opportunities for Small Business in Areas Experiencing Development of Inland Water Resources."

36. Oregon, $34,480.

Grantee: The University of Oregon, Eugene.

Project director: Wesley C. Ballaine.

Title of research project: "An Appraisal of Risk Management in Small Retailing Establishment."

37. Pennsylvania, $40,000.

Grantee: Temple University, Philadelphia, Pa.

Project director: Nathaniel Jackendoff.

Title of research project: "An Exploratory Survey of Financial Ratios and Other Business Services With Special Attention to Their Application to Problems of Small Business."

38. Rhode Island, $40,000.

Grantee: Brown University, Providence, R.I.

Project director: Kurt B. Mayer.

Title of research project: "Some Economic and Sociological Factors Influencing the Distribution of Business Firms by Size: I. The Effect of Suburbanization on the Size and Growth of Small Business Establishments; and II. Critical Internal and External Aspects of the Financial Management of Business Firms Affecting Size and Growth."

39. South Carolina, $30,010.

Grantee: University of South Carolina, Columbia.

Project director: Olin S. Pugh.

Title of research project: "Financial Management Problems of Single Unit Firms in South Carolina."

40. South Dakota, $35,420.

Grantee: State University of South Dakota, Vermillion.

Project director: R. F. Patterson.

Title of research project: "Some Basic Problems of Small Business in South Dakota: An Appraisal and Possible Solutions (1) Financing Small Business in South Dakota: Retailing, Service, Wholesaling, and Small Manufacturing; (2) Small Business in South Dakota To Be Affected by Proposed Superhighways in South Dakota."

41. Texas, $40,000.

Grantee: University of Houston, Houston.

Project director: Paul H. Rigby.

Title of research project: "A Study of Decisionmaking Processes in the Small Business Firm."

42. Utah, $40,000.

Grantee: University of Utah, Salt Lake City.

Project director: Osmond L. Harline.

Title of research project: "Evaluation of the Use and Impact of (1) Informational Aids, and (2) Government-Sponsored Financial Assistance Programs Available to Small Business."

43. Vermont, $25,000.

Grantee: Vermont Development Commission, Montpelier.

Project director: John M. Thompson.

Title of Research project: "Sample Survey of Small Business Operations in Vermont."

44. Virginia, $40,000.

Grantee: University of Virginia, Charlottesville.

Project director: Lorin A. Thompson.

Title of research project: "A Proposal on Small Business Training and Development: (1) Study—Administrative and Management Problems of Small Business; (2) Analysis of Trends in Sales Volume for Major Classes of Retail Business."

45. Washington, $40,000.

Grantee: University of Washington, Seattle.

Project director: Warren W. Etcheson.

Title of research project: "Problems of Small Business in Washington: (1) Financing Small Business: Survey of Credit and Capital Sources in Washington State; (2) Regulation of Retail Competition in Washington; (3) Factors Affecting the Growth of Small Manufacturing Enterprises; (4) An Analysis of Business Terminations; (5) Pricing Policies and Practices of Small Manufacturers in Washington."

46. West Virginia, $13,800.

Grantee: West Virginia University, Morgantown.

Project director: James H. Thompson.

Title of research project: "Methods of Plant Site Selection Available to Small Manufacturing Firms."

47. Wisconsin, $40,000.

Grantee: Division of Industrial and Port Development, State of Wisconsin, Madison.

Project director: James S. Earley.

Title of research project: "Problems of Financing Growth of Wisconsin Small Business" (a research project to determine sources of funds for small- and medium-size Wisconsin companies and whether there is significant variation in the rates of growth of companies of various sizes and industry classification, including a study of demised, merged, and relocated companies).

48. Wyoming, $34,950.

Grantee: University of Wyoming, Laramie.

Project director: Floyd K. Harmston.

Title of research project: "An Investigation Into Problems Peculiar to Small Businesses in Wyoming and the Rocky Mountain Area: (1) An Investigation To Determine the Management and Administrative Problems Encountered by the Owners and Managers of Small Business Units; (2) A Time and Duty Study of Retail Sales Personnel; (3) A Study of ICC 1 percent Waybill Data To Determine Existing Markets for Various Commodities."

49. Puerto Rico, $40,000.

Grantee: Economic Development Administration, San Juan.

Project director: Morris Moses.

Title of research project: "The Removal of Obstacles to the Growth of Small Locally Owned Manufacturing Firms in a Newly Developing Industrial Area."

50. Nebraska, $15,392.

Grantee: University of Nebraska, Lincoln.

Project directors: Clifford M. Hicks and Harold E. Wise, associate dean, graduate college, and deputy research administrator.

Title of research project: "Problems in the Sale of an Interest in a Small Business Proprietorship As Influenced by the Federal Income Tax Laws and Retail Store Hour Survey in all of the Nebraska Towns of 10,000 to 25,000 Population."

51. Nevada, $32,213.30.

Grantee: University of Nevada, Reno.

Project director: Robert C. Weems, Jr.

Title of research project: "The Extent of Retail Advertising as a Management Tool—Its Scope and Importance in Small Business."

52. Tennessee, $40,000.

Grantee: Tennessee Polytechnic Institute, Cookeville.

Project director: Louis Johnson, Jr.

Title of research project: "Investigation of the Marketing and Management Practices of Selected Small Businesses":

(1) "Newly Developed Industry."

(2) "Long-Established Industry."

Mr. SPARKMAN. Mr. President, the great hope of the program, as I have indicated, is that as it continues to operate, it may serve as a catalyst for the development of a permanent Federal-State relationship which will devise greater means for not only research, but also for the use of that research, and the technical assistance and know-how which is already available, in a form and at a time when the individual small businessman can and will make greatest use of it. The program, in other words, will not be confined simply to research, but the development of organizations and techniques for getting the research used. This cannot be done if the program is allowed to expire after only 2 years which have been largely confined to research programs.

I also ask unanimous consent that there be printed at this point in the RECORD an excerpt from Senate Report No. 834 dealing with this subject.

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

EXCERPT FROM SENATE REPORT NO. 834

2. GRANTS FOR STUDIES, RESEARCH, AND COUNSELING

Section 7(d) of the Small Business Act, as amended by the Small Business Investment Act of 1958, provides for a program of "grants to any State government, or any agency thereof, State-chartered development credit or finance corporations, land-grant colleges and universities, and colleges, and schools of business, engineering, commerce, or agriculture for studies, research, and counseling concerning the managing, financing, and operation of small-business enterprises."

The last sentence of the subsection reads: "Such grants shall be made from the funds established in the Treasury by section 602(b) of the Small Business Investment Act of 1958."

This fund was derived from moneys which had been held by Federal Reserve banks under section 13(b) of the Federal Reserve Act.

Public Law 86-88, appropriations for the Department of Commerce (which includes appropriations for SBA), rescinded the unobligated balance of this fund as of June 30, 1959, except that $2,080,000 was made to remain available for grants in fiscal 1960. Thus, this action had the effect of leaving the SBA without authority for appropriations to finance the grants after fiscal 1960. This bill, by deleting the last sentence of section 7(d) of the Small Business Act, provides authority for appropriations under section 20 of the Small Business Act which contains general authority for appropriations to carry out the purposes of the act.

Administration of the program of grants for studies, research, and counseling

As indicated above, section 7(d) of the Small Business Act provides for a program of "grants to any State government, or any agency thereof, State-chartered development credit or finance corporations, land-grant colleges and universities, and colleges and schools of business, engineering, commerce, or agriculture for studies, research, and counseling concerning the managing, financing, and operation of small-business enterprises."

In recommending the enactment of this program in an amendment to the Small Business Act in 1958, the committee was impressed by testimony describing a program for assisting small businesses in a direct and timely manner by providing case studies and on-the-spot counseling concerning particular and sometimes local problems of a business or group of businesses. The language of the law is sufficiently broad to cover this type of activity. However, the Small Business Administration in its regulations under the section has interpreted the word "counseling" so as virtually to exclude direct contact between the grantee and small-business concerns.

The Small Business Administration's interpretation generally confines the program to one of grants for research into the problems of small business. While the committee does not deprecate the importance of research, it was favorably impressed at the hearings on this matter, held on July 28, 1959, with description of a variety of programs which could be developed by State and local agencies and institutions for utilizing the grant funds. The committee believes that the program can be most useful if it encompasses different types of programs developed locally to meet different needs in the various States.

Some of these programs may involve one or more of the concepts of research, case studies, and counseling. Some of them may involve associations of two or more eligible grantees, in order that combinations of studies, research, and counseling may be undertaken. They may be developed in such a way that opportunities for study and counseling may arise when small businessmen seek financial assistance from private lenders, the Small Business Administration, small-business investment companies, and State and local development credit or finance companies.

The committee understands that this approach may create administrative difficulties for the Small Business Administration in allocating the grants and in supervising the programs. Nevertheless, the committee feels that the State programs should be allowed to develop with a maximum of flexibility and local ingenuity and control. The committee also believes that in the development of programs for counseling, particularly, continuity of a program is desirable so long as it is consistent with proper safeguards to protect the interests of the Federal Government.

The committee also considers that the SBA should use its discretionary authority to require matching funds to the extent that the State programs provide for counseling, in order that the funds for this type of program may be increased.

As indicated in its testimony, SBA believes undue emphasis on counseling may tend to replace research and, in general, it believes research projects at this time are more desirable than counseling projects. However, it has stated a willingness to make grants to finance counseling on a limited basis as an experimental program to determine what types of counseling are most productive and valuable to small business, how counseling best can be fostered without destroying the research aspects of the program, and how it can be done efficiently and economically.

This program is not inconsistent with the views of the committee as stated above. The committee agrees with this approach to the problem; that is, in the initial stages, pending further evaluation, the programs of counseling grants are to be considered experimental, and confined to a relatively few States, to determine what types of counseling are most helpful to small business. When these programs have been evaluated by SBA and the Congress, further legislative changes may be considered.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

PRINTING OF REVIEW OF REPORTS ON WILMINGTON HARBOR (CHRISTINA RIVER), DEL. (S. DOC. NO. 88)

Mr. CHAVEZ. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated February 9, 1960, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of reports on Wilmington Harbor (Christina River), Del., requested by resolutions of the Committee on Public Works, adopted March 18, 1953, and February 14, 1955. I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

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

AMENDMENT OF TARIFF ACT OF 1950, RELATING TO QUOTAS FOR, AND IMPOSITION OF DUTY ON, IMPORTATION OF SHRIMP—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 15, 1960, the names of Senators TALMADGE, HOLLAND, MAGNUSON, KERR, GRUENING, and BARTLETT, were added as additional cosponsors of the bill (S. 3204) to amend the Tariff Act of 1930 to provide for the establishment of country-by-country quotas for the importation of shrimps and shrimp products, to impose a duty on all unprocessed shrimp imported in excess of the applicable quota, and to impose a duty on processed shrimp and prohibit its importation in excess of the applicable quota, introduced by Mr. ELLENDER (for himself, Mr. LONG of Louisiana, Mr. EASTLAND, Mr. STENNIS, and Mr. YARBOROUGH) on March 15, 1960.

SUPPLEMENTAL APPROPRIATION BILL, 1960—ADDITIONAL COSPONSORS OF AMENDMENT

Under authority of the order of the Senate of March 17, 1960, the names of Senators GRUENING and BARTLETT were added as additional cosponsors of the amendment submitted on March 17, 1960, by Mr. KUCHEL (for himself and Mr. ENGLE) to the bill (H.R. 10743) making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes.

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. LONG of Hawaii:

Article entitled "Hawaiians Have Enjoyed Billboard Ban 33 Years, and Profited by It,"

written by Milton Britten and published in the Memphis Press-Scimitar of February 6, 1960.

By Mr. Young of North Dakota:

Letter to Mr. G. R. Milburn, president of the American National Cattlemen's Association; article entitled "Intensive Study of Food Urged," published in the New York Times of today, March 18, 1960; and testimony of J. C. Wetzler and A. P. Davies before House Appropriations Subcommittee on Agriculture.

THE FILIBUSTER HAS YIELDED SOME GOOD—ARTICLE ON ADDRESS BY SENATOR ROBERTSON

Mr. RUSSELL. Mr. President, during the course of the 5-week fight we have waged here to preserve constitutional government in this country, many excellent speeches have been made, and a few great speeches have been made in this body. Some of them have been equal to any that have ever resounded in this Chamber and have been in the very best traditions of the Senate.

Unfortunately, many of these speeches have not been widely publicized, and they have been enjoyed only by the exceedingly small group of people who regularly read the CONGRESSIONAL RECORD.

Among the outstanding speeches was one which the Senator from Virginia [Mr. ROBERTSON] made on the 8th of March.

Mr. Holmes Alexander, a careful student of history and of the proceedings in this body, and, I may say, one of the fairest members of the fourth estate, has written an article about Senator ROBERTSON and his great oratorical effort dealing with one of the most important of all civil rights, namely the right of a man to face a jury of his peers before he is punished.

The article appeared in the Richmond News Leader of Thursday, March 17, 1960. I heartily concur in the sentiments which Mr. Alexander expresses in respect to the address by the Senator from Virginia; and I ask unanimous consent that the article by Mr. Alexander be printed in the body of the RECORD.

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

[From the Richmond News Leader, Mar. 17, 1960]

FILIBUSTER HAS YIELDED SOME GOOD

(By Holmes Alexander)

"There is another advantage annexed to the trial by jury; the jurors may indeed return a mistaken or ill-founded verdict, but their errors cannot be systematical"—James Wilson, of Pennsylvania (1742–98).

In the darkest-before-dawn hours of March 8 Senator WILLIS ROBERTSON, Democrat, of Virginia, nearly a half-century man in our courts and legislatures, was delivering "the best address I ever made."

Tall, rugged, learned, forthright, courteous, ROBERTSON could have been one of his own early American heroes—Jefferson, Marshall, Mason, Henry, Washington—and he was pleading their favorite cause: Justice under law.

But the Old Dominion's junior Senator was also enacting two immutables in human history. Irony, it seems, never fails in man's affairs. Here was ROBERTSON, aged 72, a candidate for reelection to the Senate, and he had to make what he considered his best speech to empty seats on the floor and in the galleries.

But the other big unchangeable here involved—personal and institutional integrity—was in his favor. It would have been far easier for him to filibuster with a claptrap, jerrybuilt speech, piously reading from the Bible or the Federalist papers. "Conscience," H. L. Mencken used to say, "is the fear somebody is looking." But hardly anybody was looking, and almost nobody was listening to ROBERTSON. The Senator could have gotton away with hogwash, instead of doing himself and the Senate this unsung credit.

His speech was prepared, annotated, and delivered like a brief for delivery before the U.S. Supreme Court. It was a scholar's advocacy for the principle of the right of jury trial, as against injunctive procedures by seated authority. The speech is printed in the CONGRESSIONAL RECORD and this is no place to digest it. But the main points of his argument seem to be these: that speed and efficiency, though we often gnash our teeth at their opposites, are not the main purposes of government; and that the surest way to civil disaster is to permit the sovereign of any nation, rather than a jury of his peers, to inflict criminal punishment upon an individual citizen.

Not many Americans, scanning the headlines or catching the evening TV summaries, have a chance to know the constructive side of the monthlong filibuster. The occasion has brought out the best on both sides, or more correctly, on all sides, because there are many shades of opinion in the Senate. Far from needing to feel apologetic before the world, we have seldom deserved the decent opinion of mankind for better reasons than the highminded debate of this hair trigger subject.

This opinion, I am convinced, will be the general one as we look back upon the 1960 civil rights Senate battle, but there seems some value in offering it while the guns have not yet cooled. By all existing signs the centrists of the upper Chamber are going to write a mild civil rights bill which will neither lacerate the South nor constitute a triumph of the radical left.

If this happens, it may also happen that an omen has been given for the Democratic convention and the November election. The rollcall on the first key vote divided the Democratic presidential candidates into two camps: Majority Leader JOHNSON pitched tent with the successful majority. Candidates KENNEDY, SYMINGTON, and HUMPHREY made their home with the foiled, frustrated radicals. This was how it went:

Vice President: "The question is, is it the sense of the Senate that debate (on Mar. 10) shall be brought to a close. The clerk will call the roll."

Candidate JOHNSON, among 53, voted not to foreclose debate. Candidates KENNEDY, HUMPHREY, SYMINGTON, among 42, voted for cloture or gag.

The meaning seems to be that the Senate, the Democratic Party, the country are closer to JOHNSON's views than to those of his rivals for the Democratic nomination.

INVITATION TO "CHEESE BREAK"

Mr. WILEY. Mr. President, as we know, the Senate, in recent weeks, has had a rough schedule of grueling hours.

After around-the-clock sessions—as well as the regular heavy schedule of the Senators—I believe my colleagues not only deserve—but also need—rejuvenation.

This afternoon, I have planned to provide just such a "work break."

As my colleagues know, Wisconsin has long been famous for its fine, health-giving cheese. From 2 to 3:30 today, a cheese treat will be served in the Vandenberg Room. I invite all of you to enjoy this "cheese break."

The break, I believe, will provide a double treat. This includes not only the privilege of enjoying delicious cheese snacks, but also that of having these delectables served by Wisconsin's lovely, talented "Alice in Dairyland"—the official public relations "Voice of Agriculture" for Wisconsin.

Although I know you are extremely busy, I hope you will have a chance to drop in for a real, refreshing cheese treat.

BERLIN AND THE EAST-WEST SUMMIT MEETINGS

Mr. JAVITS. Mr. President, Chancellor Adenauer who has just visited us has left us with a challenging proposal in preparation for the East-West summit meeting scheduled to begin May 16 which ought to have the prompt and urgent attention of our State Department. He suggested a "free plebiscite" in the three zones of the Western Powers in Berlin carried through before the East-West summit meeting asking Berliners to vote whether they want the present status of Berlin to remain or whether they want that status to be changed. It is properly pointed out that to govern with the consent of the governed this plebiscite is most advisable. Also, to be sure that the people of West Berlin are determined to resist pressures which the East German regime and its Soviet sponsors can put upon them if Chairman Khrushchev determines that this is the next step. Though Berlin's voters it is true in the 1958 municipal elections gave less than 2 percent of their vote to the Communists this was before the definitive Soviet proposals on making Berlin a "free city" came out in detailed negotiations together with United States, British, and French counterproposals of the Geneva Foreign Ministers Conference in May 1959. It is these proposals and in the ensuing international pressures and negotiations upon which the people of West Berlin should have their say. I support this proposal of Chancellor Adenauer.

It is widely recognized in the United States, perhaps more widely recognized and understood than any other foreign policy question, that the fate of Berlin is intimately linked with the continuance of Germany as a dynamic part of an integrated Western Europe with bright prospects for a continuing development of this integration most helpful to the free world's cause. Also that Berlin is the symbol to the Communist enslaved nations of eastern and southern Europe of the determination of the free world that they too shall one day have their opportunity to be free again. Finally it is the most advanced showcase of the free world facing toward the Communist bloc and makes possible the constant comparison between the drab grimness of Communist living and the security, dynamism and interest of free

world living. Because of its critical importance to the free world, Chancellor Adenauer's suggestion deserves high consideration and I urge that our Government enter into the necessary negotiations with the other two powers concerned, the United Kingdom and France, and with the West Berlin government to bring about this plebiscite in time for the May summit meeting.

DECLINE AND FALL OF THE LIBERALS

Mr. PROXMIRE. Mr. President, in Shakespeare's Julius Caesar, Cassius foresees the difficulty with Democratic liberal Senators in this 86th Congress when he says, "The fault, dear Brutus, is not in our stars, but in ourselves."

Mr. President, one of the great disappointments for many Americans must be the dismal performance of liberals as a group in the Congress and particularly in the Senate, since the election of 1958. If ever an election was viewed as a popular mandate for legislative progress to meet our great national problems, it was the 1958 election. It was a smashing victory for the northern liberal wing of the Democratic Party—the wing that believes that in our domestic economy, as well as in our relations with the rest of the world, it is time to stop treading water, and to move ahead.

We have failed. Why? The fault, Mr. President, "is not in our stars, but in ourselves."

Of course we have excuses. The veto is a mighty weapon. It has defeated us directly. More frequently it has defeated us because we knew it was available and we knew the Congress is far from two-thirds in favor of progressive legislation.

Our majority leader has been properly recognized as an immensely skilled parliamentarian and a prime realist. He is nowhere considered as one of the small bloc of so-called liberals in the Senate. And the majority leader controls fully and completely all of the organization of the Democratic Party in the Senate, as I have been at pains to point out. Then, Mr. President, there is the overwhelming opposition of the American press to a liberal, progressive program. This opposition has become more expert and competent as it has become more omniscient with the vast reach of modern communication media.

But, Mr. President, all these are excuses. Liberals have always suffered obstacles. They have always had to battle the entrenched inertia of established institutions. But rarely have they been such spectacular failures when they have had such great opportunity and public mandate as we have today.

In the words of Cassius, "Our fault, dear Brutus, is not in our stars, but in ourselves." It is time for some painful introspection. Our first step should be carefully to consider thoughtful criticism. This is why, Mr. President, I ask unanimous consent to have printed in the RECORD at this point a blunt, hard-hitting, article highly critical of U.S. Senate liberals, by the well-known columnist, Joseph Alsop, which appeared in this morning's papers. It is an intelligent and perceptive analysis. It is a call to responsibility and a call to some hard homework.

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

DECLINE OF THE LIBERAL

(By Joseph Alsop)

Barring unforeseen mishaps, Senate Majority Leader LYNDON B. JOHNSON will get almost exactly what he set out to get from the civil rights fight. The Senate may first be driven to vote cloture twice over—an extraordinary event. Nowadays, however, the Senate seems to have a new rule: "JOHNSON'S will be done."

If JOHNSON succeeds, the country will have reason to rejoice. A civil rights bill insuring progress on the most vital single front, the voting rights of the southern Negroes, will be successfully passed without undue bitterness. Such a bill, if seriously enforced, will go straight to the heart of the matter.

If he succeeds, moreover, JOHNSON will also have reason to rejoice. He will have gone within a micromillimeter as far as he could possibly go, toward making himself an available presidential candidate in the North without leaving his large herds of southern convention delegates. If Senator JOHN F. KENNEDY, of Massachusetts, then stumbles along the road to Los Angeles, LYNDON JOHNSON will be the true frontrunning Democratic contender.

The Johnson phenomenon is not only remarkable in itself. It also offers the best text for a badly needed sermon on the plight of American liberals. Our political liberalism is semiofficially represented at present by the Senate's 18 liberal Democrats. Numerically, they exactly balance the Senate's 18 southerners.

And if JOHNSON wins his predicted victory in the civil rights fight, one may be sure there will be more angry liberals than angry southerners.

This capacity for outraged indignation when they are given half a loaf is only one of the more peculiar liberal traits. In the present instance, the civil rights half-loaf might have been improved in every way, if the liberals had chosen to fight for this objective. Instead, they made their customary choice. They fought for the whole loaf, which was the legislatively unattained title III of the old civil rights bill. Thus, in reality, they aided their enemies.

The choice was made, early in the struggle, at a meeting convened by Senators PAUL DOUGLAS of Illinois, and JOSEPH CLARK, of Pennsylvania. The vote in the meeting was symptomatic—nine for fighting for title III "on principle"; seven for fighting for the best bill that was practically feasible; and two abstentions.

The vote meant, in effect, that a narrow majority of the Senate's liberal Democrats were less interested in the dusty legislative process than in striking noble, popular postures. This preference for posture over process is, in fact, the main cause of the Senate liberals' decline.

The great figures of the liberal-progressive past—George Norris, the two La Follettes, Fiorello La Guardia, Robert Wagner, bitter witty old Couzens of Michigan, and the rest—were almost all men who took a passionate, practical, detailed interest in the business of lawmaking. Norris, for instance, looked like a saint, and sounded like a particularly high-minded saint when he took the floor for a speech. But no lone wolf Senator has shown more legislative craft than the saintly seeming Norris.

Craft was needed in order to topple Speaker Cannon with a perfectly timed resolution changing the iron-clad rules of the House of Representatives. Craft was needed, in order to stave off, all through the 1920's, successive Republican President's attempts to sell Muscle Shoals, the heart of TVA, to private power interests. Good, hard, detailed homework and craft were both needed, in order to be ready with the TVA bill when the election of Franklin Roosevelt gave George Norris his long-awaited chance.

Nowadays, despite the high average ability and high average purpose of the Senate liberals, there is not a man among them who has made a single problem peculiarly his own. None of them has a new TVA, for which he has been fighting doggedly, through bad times and good. In truth, none of them is the Senate's acknowledged master of any particular subject, as the late Robert A. Taft was master of half a dozen subjects, or even as JOHN F. KENNEDY was master of his subject when he was fighting for his labor bill.

This concentration is just as necessary as craft, for any lawmaker who wants to get things done in the teeth of a passive, or indifferent, or hostile majority. The great figures of the liberal-progressive past were not great because they made fine speeches or stood forward in fine attitudes. They were great because, from time to time, after infinite hard work, they got things done. The good statutes enacted, the mediocre statutes amended, the bad statutes blocked, were their monuments. They deserve modern study.

AMERICAN MORAL DECLINE DEMANDS PASSAGE OF CODE OF ETHICS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a statement I made to the House Interstate and Foreign Commerce Committee on the need for a code of ethics for our regulatory agencies and Congress be printed in the RECORD at this point.

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

STATEMENT OF SENATOR WILLIAM PROXMIRE, MARCH 18, 1960, BEFORE THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, REGARDING A CODE OF ETHICS FOR THE REGULATORY AGENCIES

Mr. Chairman, I very much appreciate this opportunity to appear before you and your committee which has already done such an outstanding job of alerting the Nation to the serious problems of ethical conduct in this country.

I particularly commend you, Mr. Chairman, for your authorship of the pending bill. I feel very strongly that this kind of legislation can help immensely not only in insuring more ethical and honest conduct in government, but in setting a national tone of morality which I think is probably more urgently needed in America today than anything else.

It is unnecessary to call to the attention of this committee the scandals so ably revealed by you in the television industry. Unfortunately, this is not an isolated example of moral weakness in America.

Religious leaders of all faiths have deplored the lowering of our moral standards as a nation. One of the leading New York clergymen indicted our ethical looseness recently when he said: "Integrity is our deepest lack today."

FBI Director J. Edgar Hoover, probably the outstanding expert on criminal behavior in our country, said recently: "Our present society has substituted indulgence for discipline, pleasure for duty, and money for morals."

An Army report on Korea has disclosed a different picture than the gallant American tradition of high morale and bravery among our prisoners of war that had gone back to the Revolution. In the past, American captives refused to collaborate and they refused to die.

In Korea nearly one of three collaborated with the enemy. For the first time in American history not one American prisoner escaped. Thirty-eight percent of our men died in captivity, the highest rate in all history. Communist cruelties killed some, but an enfeebled will to resist and even a weakened will to live killed others.

During the same period 221 Turkish soldiers were taken prisoner in Korea by the same Communist foe. Half were injured when captured. Not one died. Not one collaborated.

There have been many eloquent speeches in and out of Congress lately about the need for American strength and the need for American economic, educational, and military power. The basic need I believe is for American moral strength. The strength of our Armed Forces, our economy, our educational system depend fundamentally on the strength of character of the American people in meeting the Russian challenge. Professor Toynbee, in his outstanding historical study, showed very clearly how the vast majority of great civilizations have been destroyed, not as a result of external aggression, but as a consequence of domestic corruption.

Over 100 years ago, one of the most perceptive observers this Nation has ever had, the celebrated young Frenchman Alexis de Toqueville, wrote: "America is great because she is good and, if American ever ceases to be good, America will cease to be great."

Your bill, Mr. Chairman, is one of the very few attempts to do something about this situation, and it is a proposal of the first importance because it recognizes that, as Aristotle wrote: "Virtue and goodness in the state are not a matter of chance but the result of knowledge and purpose. A state can be virtuous only when the citizens who have a share in the government are virtuous."

So I enthusiastically support this bill, Mr. Chairman. I have asked to testify, however, because I have recent and vivid experience with the application of your bill in two ways. Just last week the head of the Portland office of the Commodity Stabilization Office of the Department of Agriculture testified before a Senate Agriculture Subcommittee of which I am a member. He conceded that he had a profit of many thousands of dollars through an interest-free investment he had made—but concealed—in a warehouse company which had business with the office which he headed. Representatives of the personnel office of the Department of Agriculture testified that this man had had available to him various pamphlets and regulations forbidding this conduct. The Commodity Stabilization Office chief conceded this but said that he had in many years with the Department never—until he disposed of his holdings—had a direct verbal or written communication from the Department informing him that in view of his position with the Department, his investment was illegal.

I cite this example, Mr. Chairman, because if this excellent bill is to have the kind of deterrent force it should have, it should provide that the head of every agency affected shall have the duty to establish systematic procedures to insure that all members or employees of the agency are fully cognizant of the provisions of this law and exactly what it means in terms of their own behavior. I am positive that ignorance of what the rules and regulations are is at least as responsible for the misconduct of employees as moral failure. And, of course, the real tragedy is the destruction that comes to persons whose carelessness or ignorance has innocently led them into illegal behavior and perhaps destroyed them and their careers.

My second concern, Mr. Chairman, is with the implications of the provisions in the bill dealing with the acceptance of unusual hospitality. These provisions apply to each of the six regulatory agencies.

In title II-A, which pertains to the Civil Aeronautics Board, section 223(b)(2) specifies that the Congress recognizes that it is improper for any employee of the Board to, and I quote:

"Accept or solicit any money, gift, favor, unusual hospitality, loan, service, employment, or thing of value from any person, or representative of any person, who has a pecuniary interest in any proceeding or matter before the Board and in connection with which the member or employee has any duty to perform."

This is very similar to a section of the judicial code of ethics that has been in force for some years for the Civil Aeronautics Board. Experience under the CAB code suggests to me how the provisions in this bill might be improved. Here's the way the parallel section of the CAB code reads:

"Unusual hospitality: It is particularly improper that persons interested in the business of the Board should provide unusual hospitality to the Board or its staff; nor should such hospitality be accepted."

Now, Mr. Chairman, the weakness of the CAB code is that "unusual hospitality" has been interpreted by the CAB to exempt, for example, a trip by the Chairman of the CAB and another member of the Board to Pinehurst, N.C., in a chartered pullman car for two and a half days at the expense of two airlines which had business pending before the CAB at the time. The host airline executive called the group the golfing, drinking, and inside-straight society. At the Pinehurst meeting, the business of the Board was discussed in great detail. The two airlines, Overseas National and Flying Tigers, were interested in working out a more profitable arrangement with the Military Air Transport Service, and wanted to use the good offices of the CAB Chairman to accomplish this. As the then vice president of Flying Tigers, Mr. L. C. Burwell, later wrote me:

"We got far more accomplished in 2½ days than we had in the past 2½ years."

The only public report on this meeting appeared in Sports Illustrated in a picture of the participants entitled "High-Flying Golfers."

Was this a violation of the unusual hospitality provisions of the CAB code? Mr. Chairman, it seems perfectly obvious to me that it is almost a classic violation of the code. It would be hard to hypothesize a more perfect violation. A chartered pullman trip to Pinehurst for a weekend of this kind would certainly be regarded as unusual hospitality by this Senator. Public business was discussed. The recent Senate testimony of the head of the CAB who took part in the trip confesses this as follows:

"As to the trip to Pinehurst, this was a weekend golfing trip as a guest of L. C. Burwell, vice president of Flying Tigers, who resided in Pinehurst, and one of its principal competitors, Overseas National Airways. Also present was Mr. Juan Trippe, president of Pan American, another principal competitor, particularly in the business of transporting passengers and cargo by contract with the Military Air Transport Service and other defense establishments. When the invitation was tendered by Mr. Burwell, I was advised that representatives of these competitive airlines would be present, and also representatives of the Military Air Transport Service, including General Wilson, deputy commander. One of the reasons the trip was organized, as explained to me, was to afford an opportunity for a congenial get together with representatives of the defense establishments concerned and some of the airlines principally concerned with the MATS civil airlines problem. The carriers and the Board were trying to get a larger allocation of military airlift for all eligible commercial air carriers. This is an objective which, while it lies completely outside the quasi-judicial responsibilities of the Board, does rest well within our responsibility under the Federal Aviation Act to foster and encourage civil and commercial aviation. I have participated in at least 10 or 15 conferences with defense officials and others over the past 4 years for this same purpose (one just last week) and I have testified before committees of Congress as to our efforts in this direction. Congressional committees have repeatedly endorsed the Board's objectives and successful efforts to get more commercial airlift business from the Department of Defense and the Military Air Transport Service."

The letter from Mr. Burwell, who was vice president of Flying Tigers at the time of this trip and is now an official of Overseas National, also confirms this. He wrote:

"The Flying Tiger Line, at that time, operated a business amounting to about $6 million a season in transatlantic commercial charters. The two largest competitors in this business were Pan American and, potentially Overseas National. However, there was one thing on which the management of these three companies could agree, and that was a plan to curtail the competition of MATS in moving routine line haul traffic that rightly should go by commercial air carrier.

"I conceived the idea of a golfing weekend and of inviting not only airline officials, but persons in the Government who represented both sides of the argument, plus the Chairman of the CAB and the Federal Communications Commission, whom we wished to persuade to our point of view; but only with advocates for both sides on hand.

"We invited in addition to those that did attend, Lieutenant General Smith, Commander of MATS (who sent his alternate, General Wilson); General Twining, Chief of Air Staff; and Senator SYMINGTON. Neither of these could come. However, we did have Mr. Frank Pace, formerly Secretary of the Army; Mr. Juan Trippe, president of Pan American, and one of its directors, Mr. Mark McKee; Col. Harmar Denny, member of the CAB; Mr. Eugene Zuckert, formerly Assistant Secretary of the Air Force; and several others who are not important at this time. Mr. Prescott, president of the Flying Tiger Line, and I were there, as well as Mr. George Tompkins, president of Overseas National. * * *

"I would like to add that in addition to the golf and good fellowship, we had serious and, I believe, fruitful discussions as to possible ways and means of allocating logically and fairly certain airlift missions of MATS to the civil industry. When I invited Mr. Durfee, I pointed out that under the act Congress had charged him with the responsibility of fostering the growth of civil aviation and here was a good chance for him to 'strike a blow for freedom.' "

The meeting was productive of profit for the airlines, as Mr. Burwell wrote:

"We got far more accomplished in 2½ days than we had in the past 2½ years, or would have gotten in the next 2½ years through uncoordinated random efforts. The CAB, MATS, and the airlines, I believe, saw each other's positions clearly and without prejudice. I think much good has come out of the meeting."

Mr. Durfee was there in his official capacity and useful to the airlines in his official capacity.

As Mr. Burwell said:

"The Flying Tiger Line at that time operated a business amounting to about $6 million a season in transatlantic commercial

charters. The two largest competitors in this business were Pan American and, potentially, Overseas National. However, there was one thing on which the management of these three companies could agree, and that was a plan to curtail the competition of MATS in moving routine line-haul traffic that rightly should go by commercial air carrier.

"I conceived the idea of a golfing weekend and of inviting not only airline officials but persons in the Government who represented both sides of the argument, plus the Chairman of the CAB and the Federal Communications Commission, whom we wished to persuade to our point of view, but only with advocates for both sides on hand.

"I would like to add that in addition to the golf and good fellowship, we had serious and, I believe, fruitful discussions as to possible ways and means of allocating logically and fairly certain airlift missions of MATS to the civil industry. When I invited Mr. Durfee, I pointed out that under the act Congress had charged him with the responsibility of fostering the growth of civil aviation and here was a good chance for him to 'strike a blow for freedom.'"

Mr. Durfee admitted that:

"One of the reasons the trip was organized, as explained to me, was to afford an opportunity for a congenial get-together with representatives of the defense establishments concerned and some of the airlines principally concerned with the MATS civil airlines problem. The carriers and the Board were trying to get a larger allocation of military airlift for all eligible commercial air carriers. This is an objective which, while it lies completely outside the quasi-judicial responsibilities of the Board, does rest well within our responsibility under the Federal Aviation Act to foster and encourage civil and commercial aviation."

The airlines paid the bill in full, provided the hospitality for the Chairman of the Civil Aeronautics Board.

I quote from Mr. Burwell's letter:

"In order to avoid any appearance of impropriety, I asked Mr. Tomkins [George Tompkins, president of Overseas National] if he wished to share the cost and be cohost, which he agreed to do.

"As many of the guests as I could accommodate stayed at my house. All of the guests were from time to time entertained at my house. This was entirely at my personal expense. Those who were accommodated at the Carolina Hotel had their bills paid by the two airlines. The transportation was by rail, and this was paid by the two airlines, using a chartered pullman car. The costs were borne jointly on a 50–50 basis.

"Now answering your questions specially:

"1. Mr. Durfee was present.

"2. The two airlines bore the costs jointly and the approximate figure per person was $85."

I would like to ask any member of this committee what possible ingredient is missing to make this a prima facie violation of the code of ethics.

And yet, Mr. Chairman, the CAB Chairman denied that it was.

And the Judiciary Committee of the U.S. Senate has just confirmed his view in a committee report that approves the Chairman of the CAB—who took part in this outing—for promotion to a lifetime job at $25,500 as a Court of Claims judge.

Let me say, Mr. Chairman that the Comptroller General told me verbally only yesterday that in his opinion this trip was a violation of the criminal code, a section that calls for a fine of $1,000 or 6 months in jail. But the Attorney General has opined that this kind of trip does not violate the law

Now, if the Congress is going to mean business in an ethical code, the code should be specifically worded so as to prevent a recurrence of the kind of misconduct indulged in by not only Durfee, but by John Doerfer, who was forced recently to resign as FCC Chairman.

The bill as now drafted would prevent neither. Under the bill—which prohibits the acceptance of "unusual hospitality" and I quote: "from any person, or representative of any person, who has a pecuniary interest in any proceeding or matter before the Board"—Mr. Doerfer would have been perfectly within the code of ethics to accept the 6-days-on-a-yacht hospitality of George Storer, wealthy owner of a chain of TV and radio stations. He could have done so because at the time Storer had no cases pending before the FCC. This loophole can be closed—and I feel very strongly that it should be closed—by proscribing entertainment by persons who recently had or might be expected in the future to have cases pending before the agency.

Similarly, the conduct of Mr. Durfee in accepting a 2½-day junket to Pinehurst, N.C., plus two lavish inaugural flights, one a 4-day flight to Mexico City, the other a junket to Rome, Italy (the latter, with his wife enjoying the hospitality along with him), all paid for by airlines with many cases pending before the Durfee-headed CAB—escapes the restriction of this code because the Senate Judiciary Committee has already said in a report on Durfee's nomination to the Court of Claims that this hospitality is not regarded as unusual.

This loophole can—and again I feel very strongly that it should—be closed by eliminating the word "unusual" from the language of the pending bill.

Our sagging American moral tone urgently needs a rigorous we-mean-business ethics law like we have in Wisconsin. The Wisconsin statute makes it a crime for a lobbyist to give a legislator so much as a martini or a cigar. This law may seem drastic to some, but the fact is that in Wisconsin it works. It has been on the statutes for more than 2 years and newspapermen, legislators, and lobbyists alike agree that the law has been thoroughly enforced and there is no such thing as entertainment or favors of any kind being extended to members of our State legislature.

I believe sincerely that we in Congress have a special responsibility to set the highest example of ethical conduct for the Nation. To this end, I feel that Congress should be similarly guided by a code of ethics and I hope that during this session we will pass a bill which spells out a definite and explicit code of ethical conduct for Members of the Congress.

The ancient Chinese sage Confucius was asked by one of his disciples: "Master, who is the higher man?" Confucius answered: "The higher man is he who first carries out himself what he demands of others, and then demands of others only what he does himself." This, to me, is the heart of ethics.

Mr. Chairman, I would like to conclude my remarks by saying that I vigorously support your excellent bill. At the same time, I believe that it should be strengthened in certain areas to prevent the kind of misconduct of which Mr. Durfee and Mr. Doerfer are guilty. Without a prohibition against this notorious misconduct, any ethical code might be regarded by the cynical as a namby-pamby, fool-the-public-in-an-election-year waste of time.

REVISIONS OF IMMIGRATION ACT OF 1952

Mr. PROXMIRE. Mr. President, yesterday the President sent to Congress a message urging liberalization of U.S. immigration policy through revisions of the Immigration Act of 1952. I believe the President's proposals deserve high praise as well as our most serious consideration.

The President indicated that what he hopes eventually will be achieved is a complete abandonment of the quota system of immigration. I share that hope, for while there is no inherent right of aliens to enter the United States on an equal basis, it seems to me that the quota system of discrimination against some nationalities is indefensible under any principle of American history or democracy. What is more, I believe it is very bad foreign policy in a day when the attitudes and actions of peoples other than northern and western Europeans are increasingly important to our future.

I must say, however, that the President's fears that such a sharp shift in our policy is unlikely at the present time are probably justified. The specific reforms which he has proposed in yesterday's message attempt to deal with some of the most flagrantly discriminatory features of the present law and to soften some of its worst features. These proposals would, first of all, double the number of immigrants coming in under the quota—raising it to approximately 300,000—and provide for admission of some 10,000 refugees from oppression and persecution each year.

One of the best features of the President's recommendations, and one which has been advocated by others for some time, is to permit the unused quotas of undersubscribed countries to be distributed among oversubscribed countries. Thus, in years when Germany, for example, fails to fill its very large quota, the number of Italians, Greeks, and other groups could be correspondingly increased.

I am also strongly in favor of removing the ceiling of 2,000 on quotas within the Asiatic-Pacific triangle. Whatever good feelings may have been engendered toward the United States in Asia by the admission of Hawaii as a State are annually undermined by the realization on the part of our friends in that part of the world that we discriminate against them in the matter of immigration.

The steps which the President has advocated are a definite move in the right direction. I strongly urge that action be taken on them in this session so that we can go on in future Congresses to a complete overhauling of our outdated immigration system.

JOHNNY KEMP, OF BISMARCK, N. DAK., SELECTED AS 1960 NATIONAL EASTER SEAL CHILD

Mr. YOUNG of North Dakota. Mr. President, we of North Dakota are very proud that a citizen of North Dakota has been selected as the 1960 National Easter Seal Child. Johnny Kemp, of Bismarck, has been selected for this honor.

Johnny Kemp was born with incomplete arms and legs. In spite of his handicap, he is an active 10-year-old boy participating in all of the activities of youth. He is an active Cub Scout, and is very eagerly looking forward to the day when he can participate in all scouting activities.

As the 1960 Easter Seal Child for the National Society of Crippled Children and Adults, Johnny Kemp typifies America's crippled children who are striving for useful lives with the help of private and public health agencies.

Baseball is a favorite sport with Johnny. In fact, he plays shortstop on one of the Peewee League baseball teams sponsored by the Bismarck Recreation Department. Although Johnny is very interested in athletics, he hopes, in spite of his handicap, to become a doctor when he grows up. He is a B-plus student at St. Anne's School in Bismarck. Johnny is intensely interested in all phases of school life, but he still finds time for a Sunday newspaper route.

Mr. President, North Dakota is extremely proud of Johnny Kemp. Few, if any, have accomplished as much as Johnny. Throughout it all, he has remained a very pleasant, likable boy, with a tremendous personality. His life and accomplishments should lend great encouragement, not only to handicapped children, but to us all.

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

Mr. YOUNG of North Dakota. I yield.

Mr. MANSFIELD. I wish to join in what the distinguished Senator from North Dakota has just said about Johnny Kemp. His father happened to be a student of mine at the University of Montana. I have known the family for years, and Johnny Kemp's grandfather and grandmother, who live in Wolf Point, Mont., are old and longtime friends.

Johnny Kemp has furnished an example to all of us, so that when we think we have it really tough, we can look at what this youngster is doing. Our admiration for him is unbounded.

It is my understanding that Johnny Kemp is coming to Washington next week. I should like at that time to join with the distinguished Senator from North Dakota to do everything we possibly can to make Johnny's stay in the Nation's Capital as pleasant as possible. He is a great youngster, and a wonderful inspiration.

Mr. YOUNG of North Dakota. I thank the distinguished Senator from Montana. I know Johnny Kemp will be very happy to have these compliments.

SUPPORT OF AMENDMENT TO H.R. 10743 RELATING TO INCREASED APPROPRIATIONS FOR FEDERAL AID TO SCHOOLS IN IMPACTED AREAS

Mr. GRUENING. Mr. President, earlier in this month I testified before the Senate Appropriations Committee which was then considering the bill, H.R. 10743, the Second Supplemental Appropriation Act for the current fiscal year, on matters which are of special concern to the State of Alaska and for which funds would be provided by this bill.

One of the items for which I requested approval of the committee, and which was included in the bill as reported, was the amendment adopted by the House of Representatives which would add an amount of $8,330,000 to funds available to the States for maintenance and operation of schools under provisions of Public Law 874 of the 81st Congress. The money that is allocated under Public Law 874 is a firm obligation of the U.S. Government to the eligible school districts, and these districts are dependent upon it for the operation of their schools.

It is unthinkable that the Federal Government should default on its obligations to the children of the United States by failing to supply funds for the education to which they are entitled.

At the time I testified before the Senate Appropriations Committee, on March 3, it was my understanding, based on the action of the House of Representatives on this matter, that the extent of the failure of the Federal Government to meet its obligations under Public Law 874 would amount to some $8,330,000, or approximately 5 percent of the amount committed. However, as was made clear to the Senate yesterday by the distinguished senior Senator from California [Mr. KUCHEL] it appears that on the basis of most recent calculations, there is a deficiency of some $23,340,000 in the amounts required for the impacted areas, rather than the sum of $8,330,000 which the Senate Appropriations Committee and the House of Representatives have approved.

I am glad to be a cosponsor of the amendment to the Supplemental Appropriation Act which has been introduced by the two able Senators from California [Mr. KUCHEL and Mr. ENGLE]. I wish to urge support of the amendment, and in doing so I call the attention of the Senate that these funds are needed throughout the United States.

As for my State of Alaska, this increase in funds is needed. The new 49th State has faced many difficulties in providing financing for the many responsibilities which devolved upon the State administration with the advent of long desired statehood. In connection with our need for Federal funds for impacted areas there is a peculiarly acute problem in my State. As a result of statehood and the passage, at the last session of Congress, of the Alaska Omnibus Act, there have been transferred to the State activities formerly under control of the Federal Government. As a result of this transfer of responsibility, our State has been faced with an unanticipated decrease in eligibility for funds under the Federal program of aid to schools in federally impacted areas. For this reason, it is of the greatest urgency that Alaska receive all the funds to which it is entitled.

Aside from this particular problem with which Alaska is faced, my State, to a greater extent than is the case with some others, is especially in need of Federal assistance to schools in impacted areas. The activities of the Department of Defense have a very heavy impact on the State of Alaska. Alaska is a bulwark of defense for North America. The Federal Government owns nearly 99 percent of its land, a state of affairs which results, even since the advent of statehood, in a situation in which the activities of the Federal Government are a major factor in the economy and the daily lives of the citizens of the State. In some instances this is beneficial, in others, not.

Alaska needs the additional $811,000 which would be provided by the Kuchel-Engle amendment to the Supplemental Appropriation Act. I urge support of the amendment, and I am grateful to my colleagues from California for introducing it.

LETTER FROM CHARLES J. BLOCH ON SUPREME COURT RULING IN SCHOOL CASES

Mr. ERVIN. Mr. President, one of America's greatest lawyers, Charles J. Bloch, of Macon, Ga., is making a gallant and intelligent fight to preserve constitutional government in America.

On March 16, 1960, Mr. Bloch wrote a letter to the editor of the New York Times which has direct relevancy to some of the matters under discussion in the civil rights debate.

For that reason, I ask unanimous consent that Mr. Bloch's letter be printed in the RECORD.

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

BLOCH, HALL, GROOVER & HAWKINS,
Macon, Ga., March 16, 1960.

EDITOR, THE NEW YORK TIMES,
New York, N.Y.

DEAR SIR: I have just read in the Times of Saturday, March 12, 1960, a letter to the editor signed by Professor Westin, of Columbia University, in which he refers to the so-called campaign of slander against the Supreme court, allegedly being conducted by the southern Senators.

When I read it, I immediately thought of one of your editorials which appeared during the week of February 29. It was an editorial severely criticizing the opinion of the Supreme Court announced February 29, 1960, in the case of *Nelson* v. *County of Los Angeles*.

I wonder why people think that newspaper editors have a perfect right to criticize decisions of the Supreme Court, but when southern Senators in the course of their duties do the very same thing, their acts are characterized as "slanderous."

The validity of the position of the southern Senators with respect to utterances of certain Justices of the Supreme Court of the United States is demonstrated by utterances of Mr. Justice Black in the case of *Federal Power Commission* v. *Tuscarora Indian Nation*, in a dissenting opinion delivered on March 7, 1960 (28 Law Week pp. 4185, 4186).

Justice Black said: "These Indians have a way of life which this Government has seen fit to protect, if not actually to encourage. Cogent arguments can be made that it would be better for all concerned if Indians were to abandon their old customs and habits and become incorporated in the communities where they reside. The fact remains, however, that they have not done this and that they have continued their tribal life with trust in a promise of security from this Government."

I cannot help but wonder where the sentiment expressed by those words was on May 17, 1954.

Prior to that time, we southerners had a way of life which the Government had seen fit to protect, if not actually to encourage, by inaction of Congress on the subject and by repeated decisions of the Supreme Court and other courts on the subject.

Further, Justice Black said: "It may be hard for us to understand why these Indians

cling so tenaciously to their lands and traditional tribal way of life. The record does not leave the impression that the lands of their reservation are the most fertile, the landscape the most beautiful, or their homes the most splendid specimens of architecture, but this is their home and ancestral home. There they, their children and their forebears were born. They, too, have their memories and their loves. Some things are worth more than money and the cost of a new enterprise."

We cannot help but wonder why Mr. Justice Black and the Chief Justice and Justice Douglas, who concurred with him, can so well understand and express the feelings of the Indians and at the same time not understand why we southerners wish to cling tenaciously to our customs and traditions, which have had the blessing of the law for 90 years.

The dissenting opinion concludes: "Great nations, like great men, should keep their word."

This is the self-same sentiment which our southern Senators and most southern lawyers have been sturdily and strenuously advocating since May 17, 1954.

Prior to May 17, 1954, the word of this great Nation as pronounced by the Supreme Court of the United States with respect to the segregation of the races in the public schools was this: "The decision is within the discretion of the State in regulating its public schools, and does not conflict with the 14th amendment." These were the words of Chief Justice William Howard Taft in the case of *Gong Lum et al.* v. *Rice, et al.* (275 U.S., at p. 87). That language, which we southerners considered to be the word of our great Nation, was concurred in by Justice Oliver Wendell Holmes, Willis Van Devanter, James C. McReynolds, Louis D. Brandeis, George Sutherland, Pierce Butler, Edward T. Sanford, Harlan Fiske Stone.

Very truly yours,

CHARLES J. BLOCH.

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

Mr. ERVIN. I am delighted to yield to the Senator from Georgia.

Mr. RUSSELL. I wish to express my appreciation to the distinguished Senator from North Carolina for offering the letter for the RECORD. I think that letter presents one of the strongest arguments I have ever seen in behalf of the position that has been taken by those of us on the floor who are making this fight for the Constitution of our fathers.

I hope, Mr. President, that the great periodical to which it was addressed, the New York Times, will see fit to print Mr. Bloch's letter in full. The New York Times certainly has carried a number of communications which were much less deserving.

POSTAL RATES

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial which appeared in the Washington Evening Star concerning postal rates. I believe it to be important to this body to know that in the 13 years from 1947 to 1959 alone, our postal deficits aggregated $6.8 billion and accounted for approximately one-half of the $15.3 billion increase in our Federal debt.

I feel that this is an excellent article on the subject, and I commend it to my colleagues.

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

PAY FOR THE MAIL

Congress should forget its election-year coyness and authorize the postal rate increases recommended by President Eisenhower.

Failure to do so, in the face of an estimated $554 million postal service deficit in fiscal 1961 under existing rates, would be completely irresponsible and an affront to budgetary good sense. Furthermore, it would amount to a violation of policy which Congress itself spelled out in 1958 to the effect that "rates should be adjusted whenever necessary to recover postal expenses."

The longtime failure, and it is primarily the fault of Congress, to put the Nation's postal service on something approaching a self-supporting basis has been a costly one to the taxpayers. As the President pointed out in his budget message, and again in his special message to the Congress last week, the cumulative postal deficit for 13 postwar years totaled $6.8 billion—almost half the increase in the Federal debt during that same period. Interest charges alone on this $6.8 billion fragment of the debt amount to $200 million yearly.

Economies and improved efficiency in postal operations during the postwar years have been more than offset by two factors. One has been the vast increase in volume of mail. The other has been the steady rise in cost of virtually everything the Post Office Department uses or buys. Revenue-producing rates have not kept pace. Increases recommended at this time would apply to virtually every category of mail, but would raise by only 1 cent the basic charges on first class and airmail. The Department estimates that this increase on first-class letters, for example, would cost the average family only about $1.80 yearly. In the long run, perpetuation of the deficit habit is apt to cost more—either in money or in deterioration of the service.

THE CUBAN SITUATION

Mr. SMATHERS. Mr. President, in this morning's Washington Post there appeared a story written by Warren Unna, under the title "Three More Cuban Aides Quit Castro's Regime." The article names them:

Three Cuban officials—a Cabinet minister and two members of the Cuban delegation to Washington—have severed relations with Premier Fidel Castro's government.

In Havana, Finance Minister Rufo Lopez Fresquet, the last member of the Castro cabinet who could be linked with the term "moderate," yesterday resigned because of what was described as "poor health."

At a closed-door meeting of the Inter-American Defense Board in Washington yesterday, Miguel F. Pons announced he had had enough of Castro. Board members quoted Pons as having denounced Castro as a "stooge of international communism" and as the "new dictator of Cuba."

The Embassy's military and air attaché, Capt. Angel L. Saavedra, disclosed he had quietly resigned his posts Wednesday.

Both Pons and Saavedra, United Press International reported, are expected to seek and be granted political asylum in the United States.

As we read the article, we see that it states that the gentleman who quit the Inter-American Defense Board, on which he had been serving while he was a naval attaché at the Cuban Embassy, received a standing ovation from the Inter-American Defense Board when he announced that he was stepping out of the Communist government of Castro. He made this statement:

There are no individual guarantees in the Cuba of today. There is no respect for property and, even in its social and collective functions, there is no liberty of enterprise. Individual initiative is prohibited. People who would not dare work openly for communism before are doing it now under the guise of aiding Fidelismo.

I thought that was rather significant, because, as the article points out, there are left only 5 of the original members of the 26th of July movement, which at one time had in the neighborhood of 130.

What disturbs me is that on another page of the same newspaper there is an article by Marquis Childs entitled "A Greek Tragedy Unfolds in Cuba." Mr. Childs states:

In the works are important new moves to try to retrieve something out of the rapidly deteriorating situation in Cuba. First and foremost is the return of Ambassador Philip W. Bonsal to his post in Havana.

Mr. Bonsal was our Ambassador, whom we had withdrawn from Cuba. In my judgment this article has been inspired by the State Department. I am almost certain that it is planned to send Mr. Bonsal back to Cuba.

I ask, What are these men who just resigned from the government of Fidel Castro, and who stated that it was a Communist government, going to do if our State Department, if the Secretary of State and this administration, allow our Ambassador to go back and, in effect, hold out the hand of friendship to the government which is accused by the three Cubans who resigned yesterday of being Communist? What happens to our friends in Latin America who think that we are opposed to communism, when they see this Ambassador come marching back down there, holding out once again the hand of friendship? What side are we on?

When we think of Major Diaz Lanz commander of the air force in Cuba; when we think of Major Matos, commander of a Cuban military province, and when we think of all the others who have quit, every one of whom has said that this is a Communist-controlled government, even though Fidel Castro himself may not be a Communist; and when we consider that we have withdrawn our Ambassador from that country, and are now thinking about sending him back do we not give aid and comfort to those whom we all admit are our greatest enemies in the world? Do we not make it appear that we are supporting this man who follows a line which has every hallmark of communism, even though he himself, as an individual, may not be a Communist?

Where is the sense in such a course? I think the time has come for the U.S. Congress to undertake some resolution which might permit us to stop an act which would live to haunt us, however long we may live, whether 50 or 100 years into the future? By such an unwise, indiscreet act as this, we would

uphold and give support to the very group of people who we say are out to destroy us. Not only do we say it, but they say it, too.

I think this would be the worst capitulation we have ever seen the United States make in the Western Hemisphere. I, for one, protest an act on the part of the State Department which I have reason to believe is coming; namely, the return of Ambassador Bonsal to Cuba. It would mean a greater loss of prestige and friendship for us in Latin America than anything else we have ever done. It would negate the trip by President Eisenhower. It would wipe out the efforts of the Senator from Vermont [Mr. AIKEN], the Senator from Oregon [Mr. MORSE], and myself to help people who believe in democracy. This would be the catastrophic result of any decision to return our representative to a government which is obviously a dictatorship in every respect, which engages in the suppression of elections, the deification of one man, the expropriation of property, and the destruction of civil rights.

The present government of Cuba is the same type as that of the Soviet Union. When we send back to Cuba our own representative and say, in effect, "We want to do business with you because we are afraid of you," I say that we have lost a great deal of our own pride and dignity; but, worse than that, we have lost most of the friends we have heretofore made in Latin America.

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

Mr. SMATHERS. I am glad to yield.

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

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the distinguished Senator from Florida may have 2 additional minutes.

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

Mr. DIRKSEN. Does the Senator suggest that we completely sever diplomatic relations?

Mr. SMATHERS. While I am not at this moment recommending that we sever diplomatic relations, I suggest that we stop capitulating and bowing down to the browbeating we are getting from the little dictator, Fidel Castro. To send our Ambassador back would be a terrible mistake.

Mr. DIRKSEN. Is it the judgment of the Senator that we should not return a diplomatic representative to Cuba?

Mr. SMATHERS. The Senator is absolutely correct. I think we should not send Mr. Bonsal back. We now have down there a chargé d'affaires and a vast embassy staff. What has transpired since Mr. Bonsal left? The government of Fidel Castro has continued to abuse us. It has entered into a trade agreement with Mikoyan of the Soviet Union. It expects to receive arms and munitions from the Soviet Union.

Recently Che Guevara, the head of the National Bank of Cuba, stood before University of Havana students and said, in effect, "The American imperialists are trying to force us to our knees, because they demand that we sell them all this sugar for 5 or 6 cents a pound, whereas the Soviet Union has endeavored to help us, and has agreed to buy the same sugar from us for 2 cents a pound."

Since that time, how many original members of the 26th of July movement have had all they could stand and have gotten out, and called the Government of Cuba a Communist government? Three resignations are announced in this morning's Washington Post. Does the minority leader maintain that because that has transpired we should now send the Ambassador back? Is that an act of friendliness toward us?

The PRESIDING OFFICER. The time of the Senator has again expired.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the time be extended for another 3 minutes.

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

Mr. DIRKSEN. I commend the Senator from Florida for a long trip and for an earnest effort to find answers in the Latin American areas of this hemisphere, for the report he made, and for the very succinct and penetrating questions he asked in the Foreign Relations Committee when it was my privilege to attend the hearing.

It is easy, of course, to indulge in generalities. The only reason for any questions I may ask is not to offer advice on the subject at the moment, because I pretend to no expert knowledge in this field. However, I do like to seek specific answers to specific questions when I can.

Mr. SMATHERS. I shall endeavor to give specific answers.

Mr. DIRKSEN. That raises a third question. Does the distinguished Senator from Florida wish to recommend a course with respect to sugar which could be regarded as a reprisal at this particular time? By that I mean either cut the quotas or, in the temper and intent of a bill already pending in the House of Representatives, prohibit any sales of Cuban sugar in this country except at the world price, all of which would be regarded as punitive and in the nature of a reprisal.

Mr. SMATHERS. I may say to the Senator from Illinois that the only people who would consider an act on our part reducing the sugar quota as a reprisal would be the present Communist-dominated Government of Cuba. My own observation from traveling through 10 countries this year is this. Our friends have said to us, "Are you going to give to that country which abuses you and condemns you and fights with you preferential treatment, when you will not even give countries like Brazil or Peru or San Salvador or Haiti or even Mexico an adequate sugar quota, when these countries vote with you and are on your side?"

We have helped the Cuban Government of Fidel Castro by letting it sell to us 3,200,000 tons of sugar at 3 cents above the world price. The only one who would regard that to be a reprisal would be Fidel Castro's government. In business, is it considered an act of reprisal to say that we will deal with everyone on the same level? Why must we continue to do this when that Government is abusing us, and when in each morning's paper we read of more officials resigning from that Government? This morning the newspapers carry the story of three more men of responsibility and stature who have resigned. Do we have to continue to do this for fear that what we do will be considered a reprisal? I do not believe so. It would be considered a sane and sensible action.

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

Mr. DIRKSEN. I ask unanimous consent that the Senator may be yielded 5 additional minutes.

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

Mr. DIRKSEN. Let us take one step further. As I understand, the Senator does not want us to send our Ambassador back to Cuba. Is that correct?

Mr. SMATHERS. That is correct.

Mr. DIRKSEN. Does the Senator have any other specific suggestion with respect to our course after that?

Mr. SMATHERS. I would say at this time, as long as the government of Fidel Castro is following its present course, it would be a terrible mistake for us even to indicate that we approve the course of that government by sending our Ambassador back. Only one conclusion could be reached if we were to send him back; namely, that we approve of the course which that government is following and that we accept the abuse which it is pouring on us openly. Furthermore, it can be interpreted only as an act of appeasement. I have heard my good friend from Illinois make many speeches against appeasement. We should not appease this little dictator by sending our Ambassador back to that country.

Mr. DIRKSEN. I have one other question. The mere withholding of the Ambassador would not be an affirmative act in seeking a solution of this vexing problem. What would be the next step suggested by the distinguished Senator from Florida?

Mr. SMATHERS. I cannot help feeling that we should turn this matter over to the Organization of American States, under the Caracas resolution, and turn over to that Organization all the information available to us from CIA and military intelligence agencies. Under the Caracas resolution joint action can be taken against any government which is considered to be a Communist-controlled government. If we were to work through that Organization, we could probably get rid of this fellow, and we would not be acting unilaterally.

When the President of the United States rode into Chile and Uruguay, whose picture was brought out and paraded on the streets? It was the picture of Fidel Castro. If we were to send our Ambassador back to Cuba, we would be saying, in effect, "I guess we approve of him." That would be a terrible mistake.

We must be firm. We must encourage those people who have the courage to defect from the government of Fidel Castro. What happens to all those

thousands of people who have fought for Cuba, and those who in recent weeks and months have been able to get away from Fidel Castro and his Communist-type government? What happens to them, when they see that we send our Ambassador back to Fidel Castro's government? Do we encourage them to continue their fight for freedom?

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

Mr. SMATHERS. I yield.

Mr. CHAVEZ. The Senator from Florida is contributing a great deal of information to the Senate. However, if we do not recognize Castro's government because of its purported Communist tendencies and do not send our Ambassador back to Cuba, why should we not also recall our Ambassador from Moscow, where the men live who are behind the throne in Cuba, according to some people who are familiar with the situation?

Mr. SMATHERS. We have withdrawn Ambassador Bonsal from Cuba. Why? He was withdrawn because the Communist government of Fidel Castro was hurling insults at the United States. Since our withdrawal of the Ambassador, there has been no change in the attitude of the Castro government. In fact, it has even been getting worse than it was before, as the Senator from New Mexico knows.

Mr. CHAVEZ. If I had my way, I would give him a shave first.

Mr. SMATHERS. At least 13 former agents of the Castro government have quit Castro and have said, "This is a Communist government." In the face of all that, and the continuing abuse by that government of the United States, is there any justification for sending back our Ambassador?

Mr. CHAVEZ. I am poud of the fact that the Senator from Florida has been able to take a trip to Latin America. I only wish more Members of the Senate would take such trips, whether they are members of the Committee on Foreign Relations or whether they go as individual Members of the Senate. I wish more Senators could take such trips to Latin America. The difficulty is that we do not know Latin America. I should like to ask the Senator this question. When he went to Latin America, did he talk to the local officials who might have been only in temporary control or power, or did he have an opportunity to talk with the rank-and-file people who actually represent Latin American countries and who are actually the ones who do business with Uncle Sam?

Mr. SMATHERS. I have had an opportunity to talk with the rank-and-file people.

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

Mr. DIRKSEN. Mr. President, I ask unanimous consent that 5 additional minutes may be yielded to the Senator from Florida.

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

Mr. SMATHERS. I talked with the rank-and-file people and also with government officials. I talked with a considerable number of rank-and-file people. Obviously when a person is in a country for only 4 days, he cannot go into a subject as widely as when he is in that country for 4 months or so. I did make an effort to talk to a great number of rank-and-file citizens.

Mr. CHAVEZ. I am glad to hear that. Generally when a Senator visits a country he is met by three or four generals and officials of the government and someone from the American Embassy. They keep the visitor so busy, entertaining him, that he does not have an opportunity to get across the railroad tracks to see how the people are living. I think I know Latin America. I read and speak their language. I read their newspapers. I talk to their people when they come here. Whenever the State Department brings a group of schoolchildren to the Capitol, they bring them to my office.

When they come from Colombia or Chile, it is my office to which they are sent. So I think I understand the situation. But I am so glad the Senator from Florida has had an opportunity to talk to the rank and file, because while dictators come and dictators go, we hope that Latin America will continue forever.

Mr. SMATHERS. I thank the Senator from New Mexico. I share his sentiment.

Mr. DIRKSEN. Mr. President, will the Senator yield for another question?

Mr. SMATHERS. I yield.

Mr. DIRKSEN. I am drawing strictly on memory, but it seems to me there are two provisions or two sections in the Caracas convention which are rather inhibiting so far as the United States is concerned, and which could offer some difficulty and certainly add to the delicacy of the whole situation. I have never heard them discussed except once, and that was privately; but it is public information. Therefore, in connection with this whole discussion, I should like to have those two sections of the Caracas convention incorporated in this rather running colloquy on this all-important subject, if the Senator from Florida has no objection.

Mr. SMATHERS. That is a constructive request.

Mr. President, I ask unanimous consent to have printed at some point in the RECORD, at the request of the able Senator from Illinois, the pertinent sections of the Caracas resolution.

There being no objection, the material was ordered to be printed in the RECORD.

Mr. BUSH. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield.

Mr. BUSH. As the Senator from Florida probably knows better than any of the rest of us, we are discussing a very sensitive subject today. I wish to raise a point with the Senator, and ask him to comment on it.

If we should refuse to let Ambassador Bonsal return to Cuba now, we would be doing so on the eve of negotiations on the sugar quota, the debate on which will come before the Senate shortly. The Senator from Utah [Mr. BENNETT] introduced a bill on that subject the other day. It gives the President some permissive powers.

I wonder if the Senator from Florida does not believe it might make the negotiations concerning this very important matter more difficult for us if we, in a sense, severed diplomatic relations at this stage of the proceedings.

Mr. SMATHERS. We are already in the position of having had our Ambassador to Cuba in the United States for the better part of 3 months.

Mr. BUSH. But was not his return to Washington simply for consultation? His return was not in the nature of a recall.

Mr. SMATHERS. It was interpreted in Cuba as being in the nature of a recall. It was believed he had been brought back here because of intemperate remarks which were made about the United States and the President of the United States by the government of Fidel Castro and Castro himself, they being one and the same.

With respect to negotiations with Cuba, the Senator has been a businessman, and he knows that when he holds all the cards, or all the stock, he does not have to do much negotiating. Every country wants to sell sugar to the United States. That is one commodity which can be grown all over Latin America; as a matter of fact, it can be grown all over the United States. It is grown in the beet area of the Senator from Utah [Mr. BENNETT], and in the cane area of Florida, and also out in the State of Washington, and everywhere else where sugar can be produced. Everyone wants to grow more and more sugar.

I state as a fact that the junior Senator from Florida was one of the chief architects of the plan by which Cuba got its very favorable quota when the sugar act was last before the Senate. The junior Senator from New Mexico [Mr. ANDERSON] and I, on the floor of the Senate, had the quotas for the Dominican Republic and Peru reduced.

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

Mr. BUSH. Mr. President, I ask unanimous consent that the Senator from Florida may have 5 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMATHERS. The Senator from New Mexico and I had the sugar quotas for the Dominican Republic and Peru reduced in order to make liberal provision for Cuba, because while Cuba at that time had a dictatorship, the argument was—and I thought it a worthy one—that at least Cuba was cooperating with the United States. Some persons believe it is very bad if the person who is cooperating is not able to pass a sanitary test. In any event, there is no problem concerning negotiations. There are all the other Latin American countries to be considered.

For example, Brazil has no quota whatever, but would love to have a quota. Brazil needs a quota.

El Salvador has no quota whatsoever. Mexico, which is our best customer, cannot get a sufficient amount of sugar as its quota to sell in the United States, in

order to get the dollars with which to buy the equipment needed to modernize Mexico's refineries.

So all those countries would like to have their quotas increased. That is all they ask.

Therefore, I say to the Senator from Connecticut that we do not have to worry about whether the government of Cuba will like us. They want to sell all the sugar they can sell to the United States. They are not out looking for markets. They are threatening us and are saying, in effect, "If you do not let us have the quota we have previously had, we are likely to go out and do more business with the Soviet Union." That argument, unfortunately, seems to be getting some support, even in the United States.

Mr. President, I do not believe the United States should knuckle under to that kind of threat, which is that if we reduce Cuba's sugar quota, Cuba is likely to go off and do business with some other country.

Mr. BUSH. It is not a question of knuckling under; it is a question of facing the renegotiation of this quota once every 4 years, and we are now coming to that point. It is a question also of a supply of sugar for the people of the United States. It is not simply a one-way street. We are somewhat dependent, as I believe the Senator from Florida will agree.

Mr. SMATHERS. No. At the moment, according to the latest figures, there is something like a 10-million-ton sugar surplus.

Mr. BUSH. In the world.

Mr. SMATHERS. Certainly. We can buy that sugar at the world price. We would pay 3 cents more a pound to get it from Cuba. Does it make sense for us to pay 3 cents more a pound to get sugar from Cuba, when we can get surplus sugar on the world market, or even grow more sugar ourselves? If we cannot grow it, we can buy it at much less cost on the world market than the price for which we can get it from Cuba.

Mr. BUSH. I do not know whether, if we purchased sugar on the world market, we could buy it at the price the Senator has suggested.

Mr. SMATHERS. The price might go up a little, but not to the price at which we would contract to buy it from Cuba. I am certain the Senator from Connecticut is no apologist for Castro.

Mr. BUSH. The Senator from Florida must know that I submitted a resolution in January, which I am certain has come to the Senator's attention, in which, in effect, I asked for a revival of the Montroe Doctrine right now. The only reason why I have not pressed for hearings on the resolution in the Committee on Foreign Relations is that the chairman of the committee, after a discussion of the resolution with me, thought it would be better to delay action on it for a while. I think perhaps he is right.

Mr. SMATHERS. The man who was with Castro from the days of Oriente Province, a Navy commander who has been serving in the triple capacity of head of the Cuban delegation on the Inter-American Defense Board, Cuban delegate to the Organization of American States, and naval attaché at the Cuban Embassy, said when he quit yesterday:

> There are no individual guarantees in the Cuba of today. There is no respect for property and, even in its social and collective functions, there is no liberty of enterprise. Individual initiative is prohibited. People who would not dare work openly for communism before are doing it now under the guise of aiding Fidelismo—

A stooge of international communism. Does the Senator from Connecticut believe that that man knows what he is talking about?

Mr. BUSH. I believe that what we do in this instance should be done after the most careful consultation with other members of the Organization of American States. I am certain the Senator from Florida realizes better than any of us how sensitive that Organization is and how important it is for us to work in the closest proximity and harmony with them.

Mr. SMATHERS. There is no question about that.

Mr. BUSH. It would be undesirable for the United States to take unilateral action all of a sudden and announce that we were going to withdraw our Ambassador. To sever, in effect, our diplomatic relations with Cuba would be a very serious step.

Mr. SMATHERS. Certainly the Senator does not maintain that we cannot send or withdraw an Ambassador only with the approval of the Organization of American States.

Mr. BUSH. No; we have a perfect right to act as we please. But what we do will be of such interest to the whole Organization of American States, including ourselves; and at this stage of the game with Castro, I would want to be very much in consultation with the other Latin American States in reaching a decision of such major importance.

Mr. SMATHERS. Would not the able Senator agree that we would be wise not to embrace a Communist government or a government which looks as though it has embraced communism?

Mr. BUSH. I do not believe there is any doubt in anyone's mind that we are not forced to embrace a government dominated by Communists. That has nothing to do with the situation.

Mr. SMATHERS. I completely disagree with the Senator from Connecticut that we must do business with Cuba. That is the whole point. Do we intend to give leadership to the people of the Western Hemisphere in our opposition to a growing Communist movement or do we intend to endorse the Communist movement and recognize it by returning our Ambassador to Cuba directly in the face of the statements by three more Cubans that they are getting out of Cuba because its government is Communist dominated? That is the whole issue.

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

Mr. SMATHERS. Mr. President, I ask unanimous consent that I may have an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BUSH. I shall take but one moment. I was pointing out to the Senator from Florida that to take the leadership does not necessarily mean taking unilateral action in a sensitive situation like this, and doing so at this time.

Mr. SMATHERS. Let me ask the Senator a question: If I had a contract with the Senator, and if I suddenly began to back out and violate the contract—as the Cubans have backed out on their bilateral agreement with the United States—and if then I began to abuse the Senator, would it be construed to be unilateral and unfair on the Senator's part if, after I abused him, he said, "I do not want to do business with you any more"?

Mr. BUSH. But the Senator from Florida forgets that we have sugar contracts with 12 or 15 other countries.

Mr. SMATHERS. But they do not relate to our sugar contract with Cuba.

Reference has been made to international organizations. In that connection let me ask whether the Organization of American States helps us pay Cuba under our sugar contract with Cuba? No; all those payments are made solely with the funds of the American taxpayers, and the contract is directly between Cuba and the United States.

Mr. BUSH. I understand that; but the question involved here is one of our total relationships with Latin America; and in these circumstances we must provide the proper leadership.

Mr. SMATHERS. I agree with the Senator as to that; we must provide leadership. When these people are teetering between communism and democracy and free enterprise, how much does it confuse them to see us suddenly embrace a government which has been abusing us, and which, according to its own people, has now gone completely Communist? Does that confuse the people in the other countries in this hemisphere? Of course it does. They were already rather thoroughly confused by our soft position toward Castro, and many of them asked, "Why is it that you treat your enemies better than your friends?"

Mr. President, what sort of operation is it when we continue to give preferential treatment to the one who abuses us, and when we turn our back on those who stand with us?

Mr. BENNETT. Mr. President, will the Senator from Florida yield?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from Florida yield to the Senator from Utah?

Mr. SMATHERS. I am happy to yield.

Mr. BENNETT. The Senator from Florida has properly referred to his trip to Latin America and to the impressions he received during it. I am sure he realizes that we have Ambassadors to all those countries, and that the sugar-quota question and the question of our relations with Cuba have been very much within the responsibilities of those Ambassadors. Furthermore, the President of the United States himself has only

recently returned from a trip which included Brazil and some of the other Latin American countries; and, upon his return, the President decided—and I am sure he did so on the basis of the information supplied by our State Department, plus his own consultations with these people—that it would be wisest, under the circumstances, to continue our present sugar-quota relationships.

So I do not believe that these people are teetering with regard to our leadership. I am sure the President has returned with a clear understanding of the point of view which the people there would like us to take.

Mr. SMATHERS. The Senator is absolutely correct when he speaks about our Ambassadors. In the countries to which I went, I conferred with the President of each one; and we talked generally about this matter. Exactly what we said is not to be revealed; but in each case I asked the Ambassador to accompany me to the meeting, and I can say without fear of contradiction that the general impression was that the United States is losing stature and is losing dignity and is losing respect in the eyes of all the people in the Latin American world by this continuing, soft, vacillating, timorous policy of hope—a policy of hoping that, somehow, the cancer is going to vanish. But the policy of hope is getting us nowhere. The Ambassadors accompanied me to those meetings. I do not say that all of them will approve exactly of what I am saying; but they were present when I heard those comments made.

And, Mr. President, I remember that one President put the matter this way—and I thought he was exactly correct: He said: "I want to tell you one thing: If you deal firmly and toughly, you are going to be respected."

I replied, "But isn't it true that in that event we would be widely criticized in Latin America?"

He replied, "Yes." He said: "You have been in politics, and I have been in politics, and both of us have learned that it is impossible to have everyone in favor of you. What is happening to you is that if you act soft, you are going to lose the friends you now have. If you act firm, you may not create any new friends; but remember that those who then would be against you have been against the United States from the start, and they are going to be Communists right down to the end."

Mr. LONG of Louisiana. Mr. President, will the Senator from Florida yield to me?

Mr. SMATHERS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I realize that the time in the morning hour is limited. Therefore, if necessary, I shall later obtain the floor in my own right, and then shall be glad to yield, in turn, to the Senator from Florida.

I should like to commend the Senator from Florida for the position he has taken. I, for one, cannot for the life of me understand why our Nation must appease Castro.

About 4 years ago we had a sugar measure before us; and the members of the Finance Committee had the courage to do what they thought should be done with the sugar quotas. The Sugar Act is our domestic law; it does not involve any reciprocity. In dealing with that Sugar Act, we made reductions in the quota which Cuba otherwise would have had; and we increased slightly the quota for Mexico; and we took the advice of the State Department in certain other respects. We allowed a little more to our own producers, as the Senator from Florida will recall. But in dealing with quotas at that time, we were dealing with friendly governments.

On the other hand, now we are confronted by a fellow who would drink our blood, if he could. Yet some say, "Oh, my goodness, don't offend him. All he wants to do is destroy you." And people tell us day in and day out, "O, we must not offend Castro. He might get mad." And in the House of Representatives some say, "My goodness, if you don't give Castro everything he wants, you might offend the Cuban people."

Well, Mr. President, some of us did not want to fight the Germans, because we felt that the German people did not approve of what Hitler was doing. But, on the other hand, we could not stop Hitler without fighting the German people. Does the Senator from Florida agree with that point of view?

Mr. SMATHERS. I completely agree. I do not agree at all with this Chamberlain-umbrella appeasement policy. As a matter of fact, I am amazed at some of my good friends, who for years have criticized other administrations for a policy of appeasement; but now, somehow, they want to embrace a policy of appeasement. I do not understand it.

Mr. LONG of Louisiana. Mr. President, will the Senator from Florida yield further to me?

Mr. SMATHERS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The State Department, at least, wanted the President to have some flexibility of authority, so that at least he could have the power to reduce the sugar quotas in order to protect American interests, so they would not be 100 percent dependent on the mercy of Castro. Yet when the State Department said it expected to urge the President to do this, and when the State Department said it believed the President would ask for it, lo and behold, to my surprise, instead of finding that the committee urged and demanded that the State Department take a firmer stand and advocate a firmer course, the committee itself appeared to be timorous about maintaining a firm policy with Castro. That is difficult for some of us to understand, because for years there has been criticism of the State Department for being fearful and timid. Yet, Mr. President, now we find that some of the committee members are being even more fearful of dealing firm with Castro himself.

Mr. SMATHERS. I agree with the Senator from Louisiana. Certainly we are making a tragic mistake here; and we have caused very great confusion among, for instance, the people who have had the courage to leave the Communist-dominated government of Castro, for thereafter they have found that we are dealing softly with Castro.

The PRESIDING OFFICER. The time available in the morning hour to the Senator from Florida has expired.

Mr. HICKENLOOPER. Mr. President, I should like to discuss this matter for a few minutes with the Senator from Florida. So far as the Caracas Declaration is concerned, I have some little knowledge of it, because I was a member of our delegation to that conference, and I went through those discussions.

With reference to the Senator's suggestion that this matter be turned over to the Organization of American States, under the Caracas Declaration, I call his attention to the terms of the Caracas Declaration which presents some difficulties. The pertinent section of the declaration, which I now hold in my hand, is as follows:

The agreeing states—

And I believe that all of them except two agreed—

declare that the domination or control of the political institutions of any American state by the international Communist movement, extending to this hemisphere the political system of an extracontinental power, would constitute a threat to the sovereignty and political independence of the American States, endangering the peace of America, and would call for a meeting of consultation to consider the adoption of appropriate action in accordance with existing treaties.

I may suggest to the Senator from Florida that I agree with many of the things he has said about Latin America. I also have had an opportunity to be in South America a number of times. But I point out definitely that one of the prerequisites in the Caracas Declaration is the establishment of the fact that a foreign power is imposing its Communist system upon a nation in this hemisphere.

Whether or not that can be established at this time, I do not know. Without a doubt, Castro and his minions in Cuba are operating under the Communist philosophy. Whether the government is being run by the Communist Kremlin or not may be subject to argument, but certainly they are operating under the Communist doctrine.

Secondly, the Caracas Declaration contemplates unity of action by the American Republics. Anyone who attended the Caracas Conference, the Rio Conference, and some of the other conferences in Latin Amercica knows that one of the most touchy situations that can arise in Latin America is the subject of intervention. The cry of intervention, when it is raised, goes like wildfire through the whole Latin American complex. The charge of "colossus of the north" is fair game for any political harangue, discussion, or campaign in Latin America. All a demagog has to do is talk about "dollar diplomacy," "the colossus of the north," and "nonintervention," and we have a hornet in our nest.

There are many Latin-American leaders who will privately tell the Senator, or me, or any other official who talks to them privately, that we should take a stronger stand. The difficulty is that when we take a stronger stand, in reliance on those statements, we then excite all the emotions of the rank and file of the people in those countries, and we set ourselves back in our relations be-

cause we have taken a stronger stand, in reliance on what some of the leaders have told us privately, but which they do not advocate or say publicly.

One of the difficulties we have—and we may as well be realistic about it—is that this is a very proper field in which the Latin American States or the American Republics can take a direct hand, but up to date they have not done so. The United States has stood ready to cooperate with them. We have offered to give, and have given, them information on the Cuban situation, but we have seen what in my judgment are dilatory tactics on the part of the Latin American States, who do not want to come to grips with this problem as I think they should.

I think a great responsibilty rests on the Latin American States to come forward, in cooperative action, to help us arrive at some solution of the problem.

We have the power to send our forces there and invade Cuba. We can overrun Cuba. But that is not what we should do. The Latin American States have a responsibilty in this problem, and I, for one, am not willing to say that the United States has all the responsibilty on its hands.

Mr. MAGNUSON. Mr. President, will the Senator yield at that point?

Mr. SMATHERS. Yes.

Mr. MAGNUSON. I do not think the Senator from Florida disagrees basically with what the Senator from Iowa has said.

Mr. SMATHERS. No. I am in agreement with him.

Mr. MAGNUSON. The Senator from Florida made a very fine report, which has been made a Senate document. I recommend its reading. I think it is a good background for this whole problem. But we do have the problem of sugar quotas, on which we must act unilaterally and make a decision. The Latin American countries surely will not criticize us if we ask for an equitable rearrangement of the sugar quotas—which should be done regardless of Castro.

Mr. HICKENLOOPER. A lot of them would be pleased if we entirely cut off the sugar quota to Cuba.

Mr. MAGNUSON. Here is what is happening: Some of our farmers on reclamation lands are not allowed to raise sugar beets, and they cannot make payments on the land. We are haggling with the Department of the Interior not to raise payments. They are shocked over the fact that Castro is going to be benefited at their expense. This is a business proposition. We should take care of our own people first. They say, "Here is a fellow kicking us around like this, and we cannot make enough money off the land to pay the water costs."

What kind of a basis is that? We have to start on the basis that first we will first take care of those at home, put our own house in order, and then add to that house, and look at the overall picture. I do not know how anyone in Latin America could complain if we wanted to do the right and fair thing on the question of sugar quotas.

Mr. HICKENLOOPER. There is more than that involved. The fact is that we have had a great interest in Cuba ever since its establishment as a sovereign Republic. It is the Cuban people we must have some consideration for, in addition to the fact that we do not want to be a party to getting kicked around by an immature, irresponsible leader in Cuba, who happens to be temporarily in power at the moment.

Mr. MAGNUSON. What about our own people?

Mr. HICKENLOOPER. Our own people have their interests, of course, but I say the problem is a little broader than that of Castro himself. The problem goes as much to our relationships not only in the past, but our hope for friendly relationships in the future with the people of Cuba. I do not think we should let ourselves be led too emotionally by this bogey of a man with a beard down there, and lose sight of the fact that the Cuban people are involved.

Mr. MAGNUSON. If we give in to things of this kind, the people of Cuba are going to say, "Castro must be a great man."

Mr. SMATHERS. Mr. President, I agree with every point the Senator from Iowa has made except the last. The Cuban people who do not like dictatorships, who resisted Batista, and who were delighted when he was thrown out by Castro, are now appalled by and want to get rid of Castro. What happens to them when they are thinking of plotting a revolution to overthrow him? What happens to them when they see the United States suddenly send back to Cuba an Ambassador? That somehow the United States approves of this fellow? Such action strengthens Castro. It holds him up. When one is trying to defeat somebody, even for election in a State, we do not bring a "big guy" down from New York or from Washington and have a picture taken of that person with his arm around the shoulder of the man we want to see defeated.

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

Mr. SMATHERS. Mr. President, I ask unanimous consent that we may continue this discussion for 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMATHERS. What happens when we want to get rid of a dictator, or even a politician in our own State? We do not give him stature. We do not do it by sending our Ambassador back to that country. By so doing we are giving the dictator stature which he does not deserve, and which certainly confuses the people of Cuba who want their liberty. It certainly is not in keeping with our policy. The very able Senator from Iowa has said he thinks the Cuban Government is Communist operated. He does not know whether it is operated in concert with the Soviet Union. I do not know, either. I am sure he does not care. But it is a government he does not like. If we have withdrawn our Ambassador, what earthly good can be done by sending him back to the kind of government which the Senator has described as he has?

Mr. HICKENLOOPER. May I correct an apparent misapprehension? I evidently did not make myself clear. I realize that under certain circumstances we might create either a sense of futility on the part of the Cuban people or make a hero of Castro in the eyes of the Cuban people.

I did not mean that at all. What I meant to say was that if we center our activities so much on Castro that we in effect do irreparable damage to the Cuban people at some time in the future, it would be a mistake. I think we should temper our action, with full realization and full vigor, against the unacceptable activities and irresponsible activities of this fellow Castro and his henchmen. I think we should center on that problem but we should keep our perspective, so that, in effect, in order to cure a cold we do not cut off our heads. We should not, in going after Mr. Castro, do unwarranted damage to the Cuban people themselves.

Mr. SMATHERS. I agree with the Senator on that point. I think we have conducted ourselves with restraint so far. We have taken no action. We have not even defended ourselves. We have listened to the abuse night after night and day after day. We have tried to stop any aid going to those who would defect from Castro. We have even taken the citizenship rights away from American citizens because they indicated some willingness to overthrow Castro. I shall talk about that at a later date.

Mr. President, we have done everything with restraint. I will say to the Senator from Iowa, I had printed in the RECORD last week an article from the Wall Street Journal. I think it was a very thorough article. It discussed how the people of Cuba themselves, in their efforts to get rid of this new dictator, are willing to encounter a little trouble. The people of Cuba know they will have to go "through the wringer" sometime or other.

What will happen if we continue this kind of a sugar quota and let this fellow get $400 million? What will he do with that money? He announced the other day that he had 25,000 new Belgian rifles. That is more than the NATO organization has. What does he do with these things, Mr. President? He uses them for control of the people over whom he rules.

Are we going to continue to give Castro money so that he can continue to use it for arms and munitions? That does not make sense.

Apparently most of us agree that this fellow is bad and that he "ought to go." Why should we support him with money, with cash, or with the intangible support of sending an Ambassador to Cuba, so that Castro can prate and brag to the world, "I brought the United States to its knees by abusing it. I had them send that man back even though I kicked them in the face. They are afraid of me."

Mr. President, every person in Latin America who does not like dictators and who wants to get rid of dictators is discouraged by this kind of action. We are,

in fact, giving aid and comfort to a dictator, and are doing it in a fashion which will set us back for generations in our efforts in Latin America.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The time of the Senator has expired.

Mr. BENNETT subsequently said: Mr. President, earlier today there was a long, sustained colloquy, during the morning hour, about our proper relations with the Government of Cuba. In the course of that colloquy the Senator from Illinois [Mr. DIRKSEN] tried to remember certain passages from a certain treaty. I have been able to get a copy of the treaty, and I ask unanimous consent that before the end of that colloquy this reference be included in the RECORD. I refer to the Charter of the Organization of American States, particularly chapter III, article 15 and 16. Article 15 reads:

ARTICLE 15

No state or group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the state or against its political, economic, and cultural elements.

Article 16 provides:

ARTICLE 16

No state may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another state and obtain from it advantages of any kind.

Mr. COOPER subsequently said: Mr. President, I have been very much interested in the comments made on Cuba. They were made by Members of the Senate who have intimate knowledge of our involved relations with Cuba.

I believe, considering the delicate negotiations which have been taking place between the United States and the countries of Latin America and the attempted negotiations with Cuba, that as long as these negotiations are going forward, and until we are called upon to vote upon the sugar issue, it might be best that comments upon Mr. Castro's fulminations be limited as much as possible. I know that the people of the United States have been surprised, disappointed, and have felt deep sorrow about the occurrences in Cuba. This is particularly saddening because of historical association and our friendly relations with the people of Cuba.

I agree with the distinguished Senator from Iowa [Mr. HICKENLOOPER] that while we are concerned with Mr. Castro's actions, larger issues are involved—our ultimate relations with the Cuban people, as distinguished from Mr. Castro, and our relations with the peoples of the Latin American countries, for they are our oldest and best friends.

Our country is a great country. We can afford to be a great country in dealing with Mr. Castro's government. I believe the President of the United States will set forth clearly our policy toward Cuba. When he does so, I have no doubt that it will be a policy tempered with reason and forbearance. I have confidence that in a choice between the statements of Mr. Castro and the reasonable policy of forbearance and dignity expressed by President Eisenhower, the people of Latin America and the people of the world will believe President Eisenhower.

It is my own belief that for at least a year there should be no change in our sugar policy toward Cuba, even though there is provocation for making a change. If we should make a change now, the people of Cuba and the people of Latin America, whatever their views toward Castro, may be led to believe that it is an act of economic pressure on the part of the United States, made for political reasons. In a year's time, we will know more clearly Mr. Castro's position.

I agree with the position taken by the distinguished Senator from Iowa [Mr. HICKENLOOPER].

Mr. DIRKSEN. Mr. President, I asked unanimous consent to have printed as a part of the discussion the pertinent sections of the Charter of the Organization of American States, in the course of the rather long colloquy which was initiated by the distinguished Senator from Florida [Mr. SMATHERS], which sections were alluded to and which might have some bearing on the discussion.

The pertinent sections are sections 15 and 16 of part 1, chapter I; but in order to make certain that no one will feel that anything has been lifted out of context, I think that in the public interest, and because the matter will be discussed further both in the Senate and the House, the entire charter, including the signatures, should be made a part of the RECORD at this point. That would start on page 5 of the charter, as is set forth in the message to Congress from the President on January 13, 1949, down to and including the signatures on page 26.

I ask unanimous consent that the matter be included as a part of the colloquy.

There being no objection, the Charter of the Organization of American States was ordered to be printed in the RECORD, as follows:

CHARTER OF THE ORGANIZATION OF AMERICAN STATES

PART ONE

Chapter I

Nature and Purposes

Article 1

The American States establish by this Charter the international organization that they have developed to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity, and their independence. Within the United Nations, the Organization of American States is a regional agency.

Article 2

All American States that ratify the present Charter are Members of the Organization.

Article 3

Any new political entity that arises from the union of several Member States and that, as such, ratifies the present Charter, shall become a Member of the Organization. The entry of the new political entity into the Organization shall result in the loss of membership of each one of the States which constitute it.

Article 4

The Organization of American States, in order to put into practice the principles on which it is founded and to fulfill its regional obligations under the Charter of the United Nations, proclaims the following essential purposes:

(a) To strengthen the peace and security of the continent;

(b) To prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the Member States;

(c) To provide for common action on the part of those States in the event of aggression;

(d) To seek the solution of political juridical and economic problems that may arise among them; and

(e) To promote, by cooperative action, their economic, social, and cultural development.

Chapter II

Principles

Article 5

The American States reaffirm the following principles:

(a) International law is the standard of conduct of States in their reciprocal relations;

(b) International order consists essentially of respect for the personality, sovereignty and independence of States, and the faithful fulfillment of obligations derived from treaties and other sources of international law;

(c) Good faith shall govern the relations between States;

(d) The solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy;

(e) The American States condemn war of aggression: victory does not give rights;

(f) An act of aggression against one American State is an act of aggression against all the other American States;

(g) Controversies of an international character arising between two or more American States shall be settled by peaceful procedures;

(h) Social justice and social security are bases of lasting peace;

(i) Economic cooperation is essential to the common welfare and prosperity of the peoples of the continent;

(j) The American States proclaim the fundamental rights of the individual without distinction as to race, nationality, creed or sex;

(k) The spiritual unity of the continent is based on respect for the cultural values of the American countries and requires their close cooperation for the high purposes of civilization;

(l) The education of peoples should be directed toward justice, freedom, and peace.

Chapter III

Fundamental Rights and Duties of States

Article 6

States are juridically equal, enjoy equal rights and equal capacity to exercise these rights, and have equal duties. The rights of each State depend not upon its power to ensure the exercise thereof, but upon the mere fact of its existence as a person under international law.

Article 7

Every American State has the duty to respect the rights enjoyed by every other State in accordance with international law.

Article 8

The fundamental rights of States may not be impaired in any manner whatsoever.

Article 9

The political existence of the State is independent of recognition by other States.

Even before being recognized, the State has the right to defend its integrity and independence, to provide for its preservation and prosperity, and consequently to organize itself as it sees fit, to legislate concerning its interests, to administer its services, and to determine the jurisdiction and competence of its courts. The exercise of these rights is limited only by the exercise of the rights of other States in accordance with international law.

Article 10

Recognition implies that the State granting it accepts the personality of the new State, with all the rights and duties that international law prescribes for the two States.

Article 11

The right of each State to protect itself and to live its own life does not authorize it to commit unjust acts against another State.

Article 12

The jurisdiction of States within the limits of their national territory is exercised equally over all the inhabitants, whether nationals or aliens.

Article 13

Each State has the right to develop its cultural, political, and economic life freely and naturally. In this free development, the State shall respect the rights of the individual and the principles of universal morality.

Article 14

Respect for and the faithful observance of treaties constitute standards for the development of peaceful relations among States. International treaties and agreements should be public.

Article 15

No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic, and cultural elements.

Article 16

No State may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another State and obtain from it advantages of any kind.

Article 17

The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever. No territorial acquisitions or special advantages obtained either by force or by other means of coercion shall be recognized.

Article 18

The American States bind themselves in their international relations not to have recourse to the use of force, except in the case of self-defense in accordance with existing treaties or in fulfillment thereof.

Article 19

Measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in Articles 15 and 17.

Chapter IV

Pacific Settlement of Disputes

Article 20

All international disputes that may arise between American States shall be submitted to the peaceful procedures set forth in this Charter, before being referred to the Security Council of the United Nations.

Article 21

The following are peaceful procedures: direct negotiation, good offices, mediation, investigation and conciliation, judicial settlement, arbitration, and those which the parties to the dispute may especially agree upon at any time.

Article 22

In the event that a dispute arises between two or more American States which, in the opinion of one of them, cannot be settled through the usual diplomatic channels, the Parties shall agree on some other peaceful procedure that will enable them to reach a solution.

Article 23

A special treaty will establish adequate procedures for the pacific settlement of disputes and will determine the appropriate means for their application, so that no dispute between American States shall fail of definitive settlement within a reasonable period.

Chapter V

Collective Security

Article 24

Every act of aggression by a State against the territorial integrity or the inviolability of the territory or against the sovereignty or political independence of an American State shall be considered an act of aggression against the other American States.

Article 25

If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an armed attack or by an act of aggression that is not an armed attack, or by an extra-continental conflict, or by a conflict between two or more American States, or by any other fact or situation that might endanger the peace of America, the American States, in furtherance of the principles of continental solidarity or collective self-defense, shall apply the measures and procedures established in the special treaties on the subject.

Chapter VI

Economic Standards

Article 26

The Member States agree to cooperate with one another, as far as their resources may permit and their laws may provide, in the broadest spirit of good neighborliness, in order to strengthen their economic structure, develop their agriculture and mining, promote their industry and increase their trade.

Article 27

If the economy of an American State is affected by serious conditions that cannot be satisfactorily remedied by its own unaided effort, such State may place its economic problems before the Inter-American Economic and Social Council to seek through consultation the most appropriate solution for such problems.

Chapter VII

Social Standards

Article 28

The Member States agree to cooperate with one another to achieve just and decent living conditions for their entire populations.

Article 29

The Member States agree upon the desirability of developing their social legislation on the following bases:

a) All human beings, without distinction as to race, nationality, sex, creed or social condition, have the right to attain material well-being and spiritual growth under circumstances of liberty, dignity, equality of opportunity, and economic security;

b) Work is a right and a social duty; it shall not be considered as an article of commerce; it demands respect for freedom of association and for the dignity of the worker; and it is to be performed under conditions that ensure life, health and a decent standard of living, both during the working years and during old age, or when any circumstance deprives the individual of the possibility of working.

Chapter VIII

Cultural Standards

Article 30

The Member States agree to promote, in accordance with their constitutional provisions and their material resources, the exercise of the right to education, on the following bases:

(a) Elementary education shall be compulsory and, when provided by the State, shall be without cost;

(b) Higher education shall be available to all, without distinction as to race, nationality, sex, language, creed or social condition.

Article 31

With due consideration for the national character of each State, the Member States undertake to facilitate free cultural interchange by every medium of expression.

PART TWO

Chapter IX

The Organs

Article 32

The Organization of American States accomplishes its purposes by means of:

(a) The Inter-American Conference;

(b) The Meeting of Consultation of Ministers of Foreign Affairs;

(c) The Council;

(d) The Pan American Union;

(e) The Specialized Conferences; and

(f) The Specialized Organizations.

Chapter X

The Inter-American Conference

Article 33

The Inter-American Conference is the supreme organ of the Organization of American States. It decides the general action and policy of the Organization and determines the structure and functions of its Organs, and has the authority to consider any matter relating to friendly relations among the American States. These functions shall be carried out in accordance with the provisions of this Charter and of other inter-American treaties.

Article 34

All Member States have the right to be represented at the Inter-American Conference. Each State has the right to one vote.

Article 35

The Conference shall convene every five years at the time fixed by the Council of the Organization, after consultation with the government of the country where the Conference is to be held.

Article 36

In special circumstances and with the approval of two-thirds of the American Governments, a special Inter-American Conference may be held, or the date of the next regular Conference may be changed.

Article 37

Each Inter-American Conference shall designate the place of meeting of the next Conference. If for any unforeseen reason the Conference cannot be held at the place designated, the Council of the Organization shall designate a new place.

Article 38

The program and regulations of the Inter-American Conference shall be prepared by the Council of the Organization and submitted to the Member States for consideration.

Chapter XI

The Meeting of Consultation of Ministers of Foreign Affairs

Article 39

The Meeting of Consultation of Ministers of Foreign Affairs shall be held in order to consider problems of an urgent nature and of common interest to the American States, and to serve as the Organ of Consultation.

Article 40

Any Member State may request that a Meeting of Consultation be called. The request shall be addressed to the Council of the Organization, which shall decide by an absolute majority whether a meeting should be held.

Article 41

The program and regulations of the Meeting of Consultation shall be prepared by the Council of the Organization and submitted to the Member States for consideration.

Article 42

If, for exceptional reasons, a Minister of Foreign Affairs is unable to attend the meeting, he shall be represented by a special delegate.

Article 43

In case of an armed attack within the territory of an American State or within the region of security delimited by treaties in force, a Meeting of Consultation shall be held without delay. Such Meeting shall be called immediately by the Chairman of the Council of the Organization, who shall at the same time call a meeting of the Council itself.

Article 44

An Advisory Defense Committee shall be established to advise the Organ of Consultation on problems of military cooperation that may arise in connection with the application of existing special treaties on collective security.

Article 45

The Advisory Defense Committee shall be composed of the highest military authorities of the American States participating in the Meeting of Consultation. Under exceptional circumstances the Governments may appoint substitutes. Each State shall be entitled to one vote.

Article 46

The Advisory Defense Committee shall be convoked under the same conditions as the Organ of Consultation, when the latter deals with matters relating to defense against aggression.

Article 47

The Committee shall also meet when the Conference or the Meeting of Consultation or the Governments, by a two-thirds majority of the Member States, assign to it technical studies or reports on specific subjects.

Chapter XII

The Council

Article 48

The Council of the Organization of American States is composed of one Representative of each Member State of the Organization, especially appointed by the respective Government, with the rank of Ambassador. The appointment may be given to the diplomatic representative accredited to the Government of the country in which the Council has its seat. During the absence of the titular Representative, the Government may appoint an interim Representative.

Article 49

The Council shall elect a Chairman and a Vice Chairman, who shall serve for one year and shall not be eligible for election to either of those positions for the term immediately following.

Article 50

The Council takes cognizance, within the limits of the present Charter and of inter-American treaties and agreements, of any matter referred to it by the Inter-American Conference or the Meeting of Consultation of Ministers of Foreign Affairs.

Article 51

The Council shall be responsible for the proper discharge by the Pan American Union of the duties assigned to it.

Article 52

The Council shall serve provisionally as the Organ of Consultation when the circumstances contemplated in Article 43 of this Charter arise.

Article 53

It is also the duty of the Council:

(a) To draft and submit to the Governments and to the Inter-American Conference proposals for the creation of new Specialized Organizations or for the combination, adaptation or elimination of existing ones, including matters relating to the financing and support thereof;

(b) To draft recommendations to the Governments, the Inter-American Conference, the Specialized Conferences or the Specialized Organizations, for the coordination of the activities and programs of such organizations, after consultation with them;

(c) To conclude agreements with the Inter-American Specialized Organizations to determine the relations that shall exist between the respective agency and the Organization;

(d) To conclude agreements or special arrangements for cooperation with other American organizations of recognized international standing;

(e) To promote and facilitate collaboration between the Organization of American States and the United Nations, as well as between Inter-American Specialized Organizations and similar international agencies;

(f) To adopt resolutions that will enable the Secretary General to perform the duties envisaged in Article 84;

(g) To perform the other duties assigned to it by the present Charter.

Article 54

The Council shall establish the bases for fixing the quota that each Government is to contribute to the maintenance of the Pan American Union, taking into account the ability to pay of the respective countries and their determination to contribute in an equitable manner. The budget, after approval by the Council, shall be transmitted to the Governments at least six months before the first day of the fiscal year, with a statement of the annual quota of each country. Decisions on budgetary matters require the approval of two-thirds of the members of the Council.

Article 55

The Council shall formulate its own regulations.

Article 56

The Council shall function at the seat of the Pan American Union.

Article 57

The following are organs of the Council of the Organization of American States:

(a) The Inter-American Economic and Social Council;

(b) The Inter-American Council of Jurists; and

(c) The Inter-American Cultural Council.

Article 58

The organs referred to in the preceding article shall have technical autonomy within the limits of this Charter; but their decisions shall not encroach upon the sphere of action of the Council of the Organization.

Article 59

The organs of the Council of the Organization are composed of representatives of all the Member States of the Organization.

Article 60

The organs of the Council of the Organization shall, as far as possible, render to the Governments such technical services as the latter may request; and they shall advise the Council of the Organization on matters within their jurisdiction.

Article 61

The organs of the Council of the Organization shall, in agreement with the Council, establish cooperative relations with the corresponding organs of the United Nations and with the national or international agencies that function within their respective spheres of action.

Article 62

The Council of the Organization, with the advice of the appropriate bodies and after consultation with the Governments, shall formulate the statutes of its organs in accordance with and in the execution of the provisions of this Charter. The organs shall formulate their own regulations.

(A) The Inter-American Economic and Social Council

Article 63

The Inter-American Economics and Social Council has for its principal purpose the promotion of the economic and social welfare of the American nations through effective cooperation for the better utilization of their natural resources, the development of their agriculture and industry and the raising of the standards of living of their peoples.

Article 64

To accomplish this purpose the Council shall:

(a) Propose the means by which the American nations may give each other technical assistance in making studies and formulating and executing plans to carry out the purposes referred to in Article 26 and to develop and improve their social services;

(b) Act as coordinating agency for all official inter-American activities of an economic and social nature;

(c) Undertake studies on its own initiative or at the request of any Member State;

(d) Assemble and prepare reports on economic and social matters for the use of the Member States;

(e) Suggest to the Council of the Organization the advisability of holding specialized conferences on economic and social matters;

(f) Carry on such other activities as may be assigned to it by the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, or the Council of the Organization.

Article 65

The Inter-American Economic and Social Council, composed of technical delegates appointed by each Member State, shall meet on its own initiative or on that of the Council of the Organization.

Article 66

The Inter-American Economic and Social Council shall function at the seat of the Pan American Union, but it may hold meetings in any American city by a majority decision of the Member States.

(B) The Inter-American Council of Jurists

Article 67

The purpose of the Inter-American Council of Jurists is to serve as an advisory body on juridical matters; to promote the development and codification of public and private international law; and to study the possibility of attaining uniformity in the

legislation of the various American countries, insofar as it may appear desirable.

Article 68

The Inter-American Juridical Committee of Rio de Janeiro shall be the permanent committee of the Inter-American Council of Jurists.

Article 69

The Juridical Committee shall be composed of jurists of the nine countries selected by the Inter-American Conference. The selection of the jurists shall be made by the Inter-American Council of Jurists from a panel submitted by each country chosen by the Conference. The Members of the Juridical Committee represent all Member States of the Organization. The Council of the Organization is empowered to fill any vacancies that occur during the intervals between Inter-American Conferences and between meetings of the Inter-American Council of Jurists.

Article 70

The Juridical Committee shall undertake such studies and preparatory work as are assigned to it by the Inter-American Council of Jurists, the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, or the Council of the Organization. It may also undertake those studies and projects which, on its own initiative, it considers advisable.

Article 71

The Inter-American Council of Jurists and the Juridical Committee should seek the cooperation of national committees for the codification of international law, of institutes of international and comparative law, and of other specialized agencies.

Article 72

The Inter-American Council of Jurists shall meet when convened by the Council of the Organization, at the place determined by the Council of Jurists at its previous meeting.

(C) The Inter-American Cultural Council

Article 73

The purpose of the Inter-American Cultural Council is to promote friendly relations and mutual understanding among the American peoples, in order to strengthen the peaceful sentiments that have characterized the evolution of America, through the promotion of educational, scientific and cultural exchange.

Article 74

To this end the principal functions of the Council shall be:

(a) To sponsor inter-American cultural activities;

(b) To collect and supply information on cultural activities carried on in and among the American States by private and official agencies both national and international in character;

(c) To promote the adoption of basic educational programs adapted to the need of all population groups in the American countries;

(d) To promote, in addition, the adoption of special programs of training, education and culture for the indigenous groups of the American countries;

(e) To cooperate in the protection, preservation and increase of the cultural heritage of the continent;

(f) To promote cooperation among the American nations in the fields of education, science and culture, by means of the exchange of materials for research and study, as well as the exchange of teachers, students, specialists and, in general, such other persons and materials as are useful for the realization of these ends;

(g) To encourage the education of the peoples for harmonious international relations;

(h) To carry on such other activities as may be assigned to it by the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, or the Council of the Organization.

Article 75

The Inter-American Cultural Council shall determine the place of its next meeting and shall be convened by the Council of the Organization on the date chosen by the latter in agreement with the Government of the country selected as the seat of the meeting.

Article 76

There shall be a Committee for Cultural Action of which five States, chosen at each Inter-American Conference, shall be members. The individuals composing the Committee for Cultural Action shall be selected by the Inter-American Cultural Council from a panel submitted by each country chosen by the Conference, and they shall be specialists in education or cultural matters. When the Inter-American Cultural Council and the Inter-American Conference are not in session, the Council of the Organization may fill vacancies that arise and replace those countries that find it necessary to discontinue their cooperation.

Article 77

The Committee for Cultural Action shall function as the permanent committee of the Inter-American Cultural Council, for the purpose of preparing any studies that the latter may assign to it. With respect to these studies the Council shall have the final decision.

Chapter XIII

The Pan American Union

Article 78

The Pan American Union is the central and permanent organ of the Organization of American States and the General Secretariat of the Organization. It shall perform the duties assigned to it in this Charter and such other duties as may be assigned to it in other inter-American treaties and agreements.

Article 79

There shall be a Secretary General of the Organization, who shall be elected by the Council for a ten-year term and who may not be reelected or be succeeded by a person of the same nationality. In the event of a vacancy in the office of Secretary General, the Council shall, within the next ninety days, elect a successor to fill the office for the remainder of the term, who may be reelected if the vacancy occurs during the second half of the term.

Article 80

The Secretary General shall direct the Pan American Union and be the legal representative thereof.

Article 81

The Secretary General shall participate with voice, but without vote, in the deliberations of the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, the Specialized Conferences, and the Council and its organs.

Article 82

The Pan American Union, through its technical and information offices, shall, under the direction of the Council, promote economic, social, juridical and cultural relations among all the Member States of the Organization.

Article 83

The Pan American Union shall also perform the following functions:

(a) Transmit ex officio to Member States the convocation to the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, and the Specialized Conferences;

(b) Advise the Council and its organs in the preparation of programs and regulations of the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, and the Specialized Conferences;

(c) Place, to the extent of its ability, at the disposal of the Government of the country where a conference is to be held, the technical aid and personnel which such Government may request;

(d) Serve as custodian of the documents and archives of the Inter-American Conference, of the Meeting of Consultation of Ministers of Foreign Affairs, and, insofar as possible, of the Specialized Conferences;

(e) Serve as depository of the instruments of ratification of inter-American agreements;

(f) Perform the functions entrusted to it by the Inter-American Conference, and the Meeting of Consultation of Ministers of Foreign Affairs;

(g) Submit to the Council an annual report on the activities of the Organization;

(h) Submit to the Inter-American Conference a report on the work accomplished by the Organs of the Organization since the previous Conference.

Article 84

It is the duty of the Secretary General:

(a) To establish, with the approval of the Council, such technical and administrative offices of the Pan American Union as are necessary to accomplish its purposes;

(b) To determine the number of department heads, officers and employees of the Pan American Union; to appoint them, regulate their powers and duties, and fix their compensation, in accordance with general standards established by the Council.

Article 85

There shall be an Assistant Secretary General, elected by the Council for a term of ten years and eligible for reelection. In the event of a vacancy in the office of Assistant Secretary General, the Council shall, within the next ninety days, elect a successor to fill such office for the remainder of the term.

Article 86

The Assistant Secretary General shall be the Secretary of the Council. He shall perform the duties of the Secretary General during the temporary absence or disability of the latter, or during the ninety-day vacancy referred to in Article 79. He shall also serve as advisory officer to the Secretary General, with the power to act as his delegate in all matters that the Secretary General may entrust to him.

Article 87

The Council, by a two-thirds vote of its members, may remove the Secretary General or the Assistant Secretary General whenever the proper functioning of the Organization so demands.

Article 88

The heads of the respective departments of the Pan American Union, appointed by the Secretary General, shall be the Executive Secretaries of the Inter-American Economic and Social Council, the Council of Jurists and the Cultural Council.

Article 89

In the performance of their duties the personnel shall not seek or receive instructions from any government or from any other authority outside the Pan American Union. They shall refrain from any action that might reflect upon their position as international officials responsible only to the Union.

Article 90

Every Member of the Organization of American States pledges itself to respect the exclusively international character of the responsibilities of the Secretary General and

the personnel, and not to seek to influence them in the discharge of their duties.

Article 91

In selecting its personnel the Pan American Union shall give first consideration to efficiency, competence and integrity; but at the same time importance shall be given to the necessity of recruiting personnel on as broad a geographical basis as possible.

Article 92

The seat of the Pan American Union is the city of Washington.

Chapter XIV

The Specialized Conferences

Article 93

The Specialized Conferences shall meet to deal with special technical matters or to develop specific aspects of inter-American cooperation, when it is so decided by the Inter-American Conference or the Meeting of Consultation of Ministers of Foreign Affairs; when inter-American agreements so provide; or when the Council of the Organization considers it necessary, either on its own initiative or at the request of one of its organs or of one of the Specialized Organizations.

Article 94

The program and regulations of the Specialized Conferences shall be prepared by the organs of the Council of the Organization or by the Specialized Organizations concerned; they shall be submitted to the Member Governments for consideration and transmitted to the Council for its information.

Chapter XV

The Specialized Organizations

Article 95

For the purposes of the present Charter, Inter-American Specialized Organizations are the intergovernmental organizations established by multilateral agreements and having specific functions with respect to technical matters of common interest to the American States.

Article 96

The Council shall, for the purposes stated in Article 53, maintain a register of the Organizations that fulfill the conditions set forth in the foregoing Article.

Article 97

The Specialized Organizations shall enjoy the fullest technical autonomy and shall take into account the recommendations of the Council, in conformity with the provisions of the present Charter.

Article 98

The Specialized Organizations shall submit to the Council periodic reports on the progress of their work and on their annual budgets and expenses.

Article 99

Agreements between the Council and the Specialized Organizations contemplated in paragraph c) of Article 53 may provide that such Organizations transmit their budgets to the Council for approval. Arrangements may also be made for the Pan American Union to receive the quotas of the contributing countries and distribute them in accordance with the said agreements.

Article 100

The Specialized Organizations shall establish cooperative relations with world agencies of the same character in order to coordinate their activities. In concluding agreements with international agencies of a world-wide character, the Inter-American Specialized Organizations shall preserve their identity and their status as integral parts of the Organization of American States, even when they perform regional functions of international agencies.

Article 101

In determining the geographic location of the Specialized Organizations the interests of all the American States shall be taken into account.

PART THREE

Chapter XVI

The United Nations

Article 102

None of the provisions of this Charter shall be construed as impairing the rights and obligations of the Member States under the Charter of the United Nations.

Chapter XVII

Miscellaneous Provisions

Article 103

The Organization of American States shall enjoy in the territory of each Member such legal capacity, privileges and immunities as are necessary for the exercise of its functions and the accomplishment of its purposes.

Article 104

The Representatives of the Governments on the Council of the Organization, the representatives on the organs of the Council, the personnel of their delegations, as well as the Secretary General and the Assistant Secretary General of the Organization, shall enjoy the privileges and immunities necessary for the independent performance of their duties.

Article 105

The juridical status of the Inter-American Specialized Organizations and the privileges and immunities that should be granted to them and to their personnel, as well as to the officials of the Pan American Union, shall be determined in each case through agreements between the respective organizations and the Governments concerned.

Article 106

Correspondence of the Organization of American States, including printed matter and parcels, bearing the frank thereof, shall be carried free of charge in the mails of the Member States.

Article 107

The Organization of American States does not recognize any restrictions on the eligibility of men and women to participate in th activities of the various Organs and to hold positions therein.

Chapter XVIII

Ratification and Entry Into Force

Article 108

The present Charter shall remain open for signature by the American States and shall be ratified in accordance with their respective constitutional procedures. The original instrument, the Spanish, English, Portuguese and French texts of which are equally authentic, shall be deposited with the Pan American Union, which shall transmit certified copies thereof to the Governments for purposes of ratification. The instruments of ratification shall be deposited with the Pan American Union, which shall notify the signatory States of such deposit.

Article 109

The present Charter shall enter into force among the ratifying States when two-thirds of the signatory States have deposited their ratifications. It shall enter into force with respect to the remaining States in the order in which they deposit their ratifications.

Article 110

The present Charter shall be registered with the Secretariat of the United Nations through the Pan American Union.

Article 111

Amendments to the present Charter may be adopted only at an Inter-American Conference convened for that purpose. Amendments shall enter into force in accordance with the terms and the procedure set forth in Article 109.

Article 112

The present Charter shall remain in force indefinitely, but may be denounced by any Member State upon written notification to the Pan American Union, which shall communicate to all the others each notice of denunciation received. After two years from the date on which the Pan American Union received a notice of denunciation, the present Charter shall cease to be in force with respect to the denouncing State, which shall cease to belong to the Organization after it has fulfilled the obligations arising from the present Charter.

In witness whereof the undersigned Plenipotentiaries, whose full powers have been presented and found to be in good and due form, sign the present Charter at the city of Bogotá, Colombia, on the dates that appear opposite their respective signatures.

For Honduras:
M. A. BATRES
RAMÓN E. CRUZ
VIRGILIO R. GÁLVEZ
30 de abril de 1948

For Guatemala:
L. CARDOZA Y ARAGÓN
J. L. MENDOZA
VIRGILIO RODRÍGUEZ BETETA
M. NORIEGA M.
JOSÉ M. SARAVIA
30 de abril de 1948

For Chile:
J. HERNÁNDEZ
E. BARROS JARPA
W. MULLER
JULIO BARRENECHEA
D. BASSI
J. RAMÓN GUTIÉRREZ
RODRIGO GONZÁLEZ
GASPAR MORA SOTOMAYOR
30 de abril de 1948

For Uruguay:
DARDO REGULES
PEDRO CHOUHY TERRA
JUAN F. GUICHÓN
HÉCTOR A. GRAUERT
GEN. PEDRO SICCO
R. PÍRIZ COELHO
NILO BERCHESI
ARIOSTO D. GONZÁLEZ
BLANCA MIERES DE BOTTO
CARLOS MANINI RÍOS
30 de abril de 1948

For Cuba:
O. GANS Y M.
ERNESTO DIHIGO
CARLOS TABERNILLA
RICARDO SARABASA
GUY PÉREZ CISNEROS
E. PANDO
30 de abril de 1948

For the United States of America:
NORMAN ARMOUR
WILLARD L. BEAULAC
WILLIAM D. PAWLEY
WALTER J. DONNELLY
PAUL C. DANIELS
30 de abril de 1948

For the Dominican Republic:
ARTURO DESPRADEL
MINERVA BERNARDINO
TEMÍSTOCLES MESSINA
JOAQUÍN BALAGUER
E. RODRÍGUES DEMORIZI
HÉCTOR INCHÁUSTEGUI
30 de abril de 1948

For Bolivia:
J. PAZ CAMPERO
E. MONTES Y M.
HUMBERTO LINARES
H. PALZA
A. ALEXANDER
30 de abril de 1948

For Peru:
A. REVOREDO I.
V. A. BELAÚNDE
LUIS FERNÁN CISNEROS
JUAN BAUTISTA DE LAVALLE
G. N. DE ARÁMBURU
LUIS ECHECOPAR GARCÍA
E. REBAGLIATI
30 de abril de 1948

For Nicaragua:
LUIS MANUEL DEBAYLE
GUILLERMO SEVILLA SACASA
MODESTO VALLE
JESÚS SÁNCHEZ
DIEGO M. CHAMORRO
30 de abril de 1948

For Mexico:
J. TORRES BODET
R. CÓRDOVA
LUIS QUINTANILLA
JOSÉ M. ORTIZ TIRADO
J. CAMPOS ORTIZ
J. GOROSTIZA
E. VILLASEÑOR
G. RAMOS MILLÁN
J. LÓPEZ B.
M. SÁNCHEZ CUÉN
E. ENRÍQUEZ
MARIO DE LA CUEVA
F. A. URSÚA
30 de abril de 1948

For Panama:
MARIO DE DIEGO
ROBERTO JIMÉNEZ
R. J. ALFARO
EDUARDO A. CHIARI
30 de abril de 1948

For El Salvador:
HÉCTOR DAVID CASTRO
H. ESCOBAR SERRANO
JOAQUÍN GUILLÉN RIVAS
ROBERTO E. CANESSA
30 de abril de 1948

For Paraguay:
CÉSAR A. VASCONSELLOS
AUGUSTO SALDÍVAR
30 de abril de 1948

For Costa Rica:
EMILIO VALVERDE
ROLANDO BLANCO
JOSÉ MIRANDA
30 de abril de 1948

For Ecuador:
A. PARRA V.
HOMERO VITERI L.
P. JARAMILLO A.
GEN. L. LARREA A.
ALBERTO PUIG AROSEMENA
H. GARCÍA ORTIZ
B. PERALTA P.
30 de abril de 1948

For Brasil:
JOÃO NEVES DA FONTOURA
ARTHUR FERREIRA DOS SANTOS
GABRIEL DE REZENDE PASSOS
ELMANO GOMES CARDIM
JOÃO HENRIQUE SAMPAIO VIERA DA SILVA
A CAMILLO DE OLIVEIRA
JORGE FELIPPE KAFURI
ERNESTO DE ARAÚJO
30 de abril de 1948

For Haiti:
GUSTAVE LARAQUE
J. L. DEJEAN
30 de abril de 1948

For Venezuela:
RÓMULO BETANCOURT
LUIS LANDER
JOSÉ RAFAEL POCATERRA
MARIANO PICÓN SALAS
30 de abril de 1948

For the Argentine Republic:
ENRIQUE COROMINAS
PASCUAL LA ROSA
PEDRO JUAN VIGNALE
SAVERIO S. VALENTI
R. A. ARES
30 de abril de 1948

For Colombia:
EDUARDO ZULETA ANGEL
CARLOS LOZANO Y LOZANO
DOMINGO ESGUERRA
SILVIO VILLEGAS
LUIS LÓPEZ DE MESA
JORGE SOTO DEL CORRAL
CARLOS ARANGO VÉLEZ
MIGUEL JIMÉNEZ LÓPEZ
AUGUSTO RAMÍREZ MORENO
CIPRIANO RESTREPO JARAMILLO
ANTONIO ROCHA

I hereby certify that the foregoing document is a true and faithful copy of the authentic texts in English, French, Portuguese and Spanish, of the Charter of the Organization of American States, signed at the Ninth International Conference of American States, held at Bogotá, Colombia, from March 30 to May 2, 1948, and that these texts have been duly examined for purposes of coordination by the Special Commission appointed to that end by the Council of the Organization of American States.

WASHINGTON, D.C., September 30, 1948.

WILLIAM MANGER,
Secretary of the Council of the Organization of American States.

Mr. KEATING. Mr. President, I want to speak only briefly on this matter. The subcommittee on Internal Security of the Committee on the Judiciary, of which I am a member, has been holding extensive hearings, in regard to the situation in Cuba. If a hostile—and especially a Communist—regime establishes a beachhead 90 miles from our own shores, that certainly is a matter affecting the internal security of this country. I commend the Senator from Florida for bringing this matter before the Senate.

No one has been more critical of Mr. Castro in public and in private than I. However, I think it is very easy to oversimplify the problem. I have been interested in, looked into, and studied, this subject as much as anyone, I believe. I confess that at this moment my own thinking on it has not completely jelled. I am not in complete agreement that all the other Latin American countries would commend us if we "cracked down" on Cuba.

Castro is clearly a dictator. But we must think of our relations with the Cuban people, not with this one dictator.

Our hearings have been held, for the most part, in executive session. However, it can be said that there has been a difference of opinion among those who have testified, most of whom are escapees from this tyranny which is going on in Cuba, as to whether this is a Communist regime, a Communist-tainted regime, a Communist-infiltrated regime, or exactly what it is. One fact is clear, however, and that is that elements of the Communist movement have taken high position in Cuba.

It seems to me that it is not necessarily any further recognition of the regime to have our Ambassador, who has been to the United States for consultation, return to Cuba again.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. KEATING. Mr. President, I ask unanimous consent that I may proceed for 1 minute more on this subject.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. KEATING. Mr. President, I am not convinced this would have a detrimental effect on us and our relations with other Latin American countries, as the Senator from Florida has indicated. At the present moment the other Latin nations are extremely cool to Cuba, and they believe that Castro and the fanatical men around him have embarked on a wild, senseless adventure. We do not want to take any action which would lead these other nations to regard Castro as a martyr. I would counsel great caution in dealing with the problem. I think it is a time for very cool heads and calm thinking in the face of the very definite provocation which this tyrant is visiting upon us.

Mr. President, I desire to address myself to another subject.

The PRESIDING OFFICER. The Senator from New York has the floor.

CATHOLIC UNIVERSITY STUDENTS SPEAK OUT FOR EQUALITY

Mr. KEATING. Mr. President, I was pleased yesterday to receive from student representatives from Catholic University an eloquent and strong resolution supporting the American principle of equality. In reaffirming their belief that "discrimination based on the accidental fact of race or color cannot be reconciled with the truth that God has created all men with equal rights and equal dignity," the students of this fine institution buttressed the firm statement on discrimination adopted in 1958 by members of the administrative board of the National Catholic Welfare Conference, in the name of the bishops of the United States. A copy of this message was also delivered to me yesterday by the student representatives.

Mr. President, the vigorous manner in which the undergraduates at Catholic University have backed the idea of equality before the law is most reassuring. It is an emphatic testimonial to the dedication of our young people to this cardinal principle of the American way of life. I was particularly impressed by the fact, as outlined by the student emissaries, that this statement was adopted by the undergraduate student council with but one dissenting vote.

This near-unanimity of opinion would be a good lesson for their elders to emulate. Emotionalism and deep-rooted prejudices must never blind Americans to the fact that, as this statement says, "The time must come when all men, regardless of race, will stand equal before their fellow men and before the law, as they now stand before their God."

By means of the proposed civil rights legislation now before Congress, by means of the activities of church leaders, by means of firm application of existing statutes, and by untiring efforts to cleanse the minds of men of bigotry and promote mutual understanding, we

can continue to move toward the goal of equality for all Americans. In this great crusade, the firm stand of our young people, as exemplified by the fine position outlined by the undergraduates at Catholic University, will be essential.

SCARCITY OF FUNDS AND HIGH INTEREST COSTS IN THE HOUSING INDUSTRY

Mr. BENNETT. Mr. President, over the recent months some Democratic Senators and other members of the Democratic Party, have tried to blame the administration for a scarcity of funds and high interest costs in the housing industry. The argument is that the administration's so-called tight-money policy is drying up the availability of funds for homebuilding, and is at the same time discouraging many prospective buyers because of high interest rates. In the same breath these individuals argue that the administration proposal to remove the interest ceiling on long-term Government bonds will drive rates even higher.

As reported in Wednesday's CONGRESSIONAL RECORD, the Senator from Pennsylvania [Mr. CLARK], urged the administration to "go out and talk to the homebuilders of the country and to lending institutions" concerning the scarcity of money. I suggest that the Senator from Pennsylvania and others seeking to block the removal of the interest ceiling talk to these same groups. If they do, they will find, much to their surprise, that these men feel that it is the ceiling on Government bonds that is at the root of their troubles. Just last Friday the National Association of Home Builders in its weekly Washington letter came out strongly in favor of the removal of that ceiling on the grounds that the current squeeze for housing is worse with the ceiling than without it. It recommended strong support for H.R. 10590, the compromise bill which would remove the ceiling. The homebuilders letter stated:

> If partisan politics is permitted to defeat H.R. 10590, the supply of funds for the homebuilding industry is bound to be affected adversely and severely.

This is exactly the opposite picture to that which members of the opposition party have been painting.

I ask unanimous consent to have printed in the RECORD the full text of the letter of the National Association of Home Builders, signed by the association president, Martin L. Bartling, Jr.

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

WASHINGTON LETTER FROM THE PRESIDENT OF THE NATIONAL ASSOCIATION OF HOME BUILDERS OF THE UNITED STATES, WASHINGTON, D.C., MARCH 11, 1960

We must support H.R. 10590. It will permit the Treasury to refinance the Government debt without unduly invading mortgage funds. Passage will make possible a more stabilized debt management to the benefit of home buyers, builders, and the general public. Defeat could well mean tighter mortgage money and higher interest rates. Your help is needed at once.

Your national officers, executive committee, regional vice presidents and several NAHB past presidents attending meetings just concluded in Washington agreed unanimously that NAHB and the homebuilding industry have no choice but to endorse the bipartisan effort in the bill (H.R. 10590) recommended February 29 by the House Ways and Means Committee to aid the Government in its financing without repealing the statutory 4¼-percent ceiling on Government bonds having a maturity in excess of 5 years. We urge your strong support for passage by Congress of H.R. 10590 at the earliest possible date.

This bill has been urged by leaders in both parties as the most effective means of aiding the Treasury in its debt management under the existing statutory ceiling. Previously, President Eisenhower had called for removal of the ceiling as "imperative" and "fully consistent with the public interest." If partisan politics is permitted to defeat H.R. 10590, the supply of funds for the homebuilding industry is bound to be affected adversely and severely. The purpose of this letter is to tell you briefly what H.R. 10590 would do and why it is so very important to us.

PROVISIONS OF H.R. 10590

First, the bill provides a series of limited adjustments to the 4¼-percent ceiling which will permit the Treasury to issue bonds in excess of 5 years and thus avoid future high-interest, short-term issues such as the "magic 5's" issue of last December which effectively took away large sums of mortgage money from savings banks, savings and loans and other mortgage lenders.

Secondly, without removing the 4¼-percent ceiling, the bill is designed to give the Secretary of the Treasury more flexibility in managing the public debt. It should enable him to economize in interest charges to the Government; to lessen the competition of Government financing with certain areas of private credit, and to cut down the inflationary effects of public borrowing. Needless to say, if he succeeds in all of these purposes it will greatly benefit mortgage financing and homebuilding.

Specifically, H.R. 10590 will provide the following:

1. Permit the Treasury to refund outstanding bonds in advance of their maturity by exchanging them for new bonds with longer terms. This is called "advance refunding" and is especially important in refinancing currently outstanding long-term Government bonds which will mature in the next few years. Under H.R. 10590, any discount at which the new bonds might be issued will not be counted in applying the 4¼-percent limit.

2. Upon a finding by the President of the United States that the national interest requires financing above the 4¼-percent limit, the bill also would permit the Treasury in any fiscal year to issue new bonds up to a total of 2 percent of the public debt. This, in effect, is an "escape valve" for the whole Government financing structure. To the extent the authority is not used during fiscal 1961, it would be carried forward for use during the next 2 fiscal years.

3. Also upon a finding by the President that the national interest requires the action, the bill would authorize the Treasury to provide special issues of U.S. securities to Government trust funds and also savings bonds at rates in excess of the 4¼-percent limit. This provision is expected to be noncontroversial.

THE BILL HAS BIPARTISAN SUPPORT

Influential Democratic leaders in the House of Representatives urge passage of this bill as an effective way of meeting the urgent request of President Eisenhower and the Secretary of the Treasury. The bill was reported favorably in a bipartisan 18-to-7 vote from the House Ways and Means Committee. It should be on the House floor for debate and voting within the next 2 weeks. This is the crucial time therefore to advise your Congressmen.

Although the Treasury and the President have asked for complete removal of the bond interest-rate ceiling, the Secretary of the Treasury has testified that the financing permitted by this bill "is adequate" to provide for the Treasury's needs in the foreseeable future.

The Ways and Means Committee report emphasized that "retaining the interest-rate ceiling without modification would not reduce the level of interest rates either for the Government or for private borrowers. However, not to modify the interest-rate ceiling would raise the cost of financing the public debt and, at the same time, would make the management of the debt more difficult."

Despite these well-considered conclusions, it is clear that the proposed legislation faces rough sledding in the House and perhaps later in the Senate. It will be attacked on a partisan basis and by many who strongly protest, as do we, the tight-money and high-interest-rate policies of the Federal Reserve and other monetary authorities. We are convinced such an attack will be ill-founded; yet the vote is bound to be close and the bill will need our complete support if it is to pass the Congress.

WHY THE BILL IS IMPORTANT TO NAHB

Certainly in our own interests as homebuilders, we should realize fully the significance of this legislation to our industry. Expressed very simply, the tight-money policy and the resulting high level of interest rates have put the Treasury in a position where it must do virtually all of its financing in the short-term market. The rates it has been paying (and unless H.R. 10590 is passed, the rates it will probably have to pay in the future) are so high that the Treasury's unavoidable financing activities are draining money out of the very institutions on which we must rely for mortgage credit.

When short-term Treasury bonds are issued at an interest rate of 5 percent it is not difficult to understand why thousands of depositors in savings banks, savings and loans and banks line up to withdraw their deposits in order to buy short-term Government bonds which will net them more than the interest they have been getting on their deposits. If this trend continues it is bound to create serious problems for all builders, and particularly for a great number of our membership who rely on conventional loans for their mortgage commitments. Passage of H.R. 10590 will prevent this.

The bill's provisions will permit the Treasury to negotiate with these same financial institutions and exchange new long-term issues for bonds which will be maturing shortly. Further, the President's budget for the next fiscal year contemplates a surplus. This means the Treasury will not be in the market for new funds. In fact, for the first time in a long while the Treasury may be able to pay off some of the public debt. It is in the interest of the homebuilding industry that the Treasury be able to manage the public debt in a way which will not disrupt the long-term investment market in which we have so great a stake. Only passage of H.R. 10590 can make this possible.

The Treasury will be forced to go into the market this year to refinance some $80 billion worth of securities. If it can only go into the short-term market, we are bound to suffer severely. For this reason alone, all of us who have studied this admittedly complicated matter are convinced that we have no choice except to support the bipartisan effort in Congress to pass the Ways and Means Committee bill, H.R. 10590.

I should like to emphasize as strongly as I can that this conclusion in no way changes the basic policy position of this association in opposition to tight-money and high-interest rates. We deplore the disproportionate reliance of monetary authorities upon tight money and higher interest rates as primary means of combating inflation. It has been carried to the point where even the U.S. Treasury cannot manage the public debt on a sound and businesslike basis because of a statutory interest rate ceiling.

We shall do everything we can to convince the monetary and fiscal authorities in Government that the policies they have been pursuing for a number of years are responsible not only for our financing problems but for those of the Treasury as well. At the very least we hope to bring about a change in basic attitudes on this matter. In the meantime, the current crisis facing the Treasury must be relieved soon by passage of H.R. 10590. Otherwise, the Treasury's problems will make even more difficult the efforts of homebuilders to obtain the funds they need, at prices buyers and builders can afford, to finance the volume of homebuilding needed in this country.

CONGRESS MUST KNOW YOUR VIEWS

Every one of your elected Representatives and Senators finds himself in a difficult position on this legislation. Your views will be of vital importance to him in arriving at his decision to support or oppose this bill, H.R. 10590. Therefore, I urge you to communicate at once with your Representatives and Senators upon your receipt of this letter.

Your Congressmen should know that you and your industry support the passage of H.R. 10590 at the earliest possible date. Our reasons are simple. They are:

The Treasury's hands must be untied if we are to prevent an excessive drain of small depositors' funds out of the pool of mortgage money which supports our industry and into Treasury short-term obligations. Passage of H.R. 10590 will accomplish this.

Mortgage lenders must be able to plan their future commitments to builders with greater certainty of having funds available and without fear of being raided by Treasury financing. Passage of H.R. 10590 will contribute substantially to this.

Stability in the mortgage market requires stability in the general long-term investment market, which will be aided substantially if the Treasury is permitted to refund outstanding debt with new and longer term securities. Passage of H.R. 10590 will authorize this.

Congressional and administration leaders are convinced the public interest now demands that the Treasury be given greater flexibility in management of the public debt without removal of the statutory ceiling and Congressional control over maximum Government bond rates. We concur in this view.

The bill, H.R. 10590, is a sincere, well considered bipartisan effort to accomplish this objective in the national interest. It should be supported with the full vigor of the homebuilding industry. I urge that you advise your Congressmen at once of your views.

Sincerely.

MARTIN L. BARTLING, Jr.,
President.

Mr. BENNETT. If Senators will read this letter carefully, they will understand very clearly why those individuals who claim to be helping homebuilders by keeping a ceiling on long-term Government bond rates are in reality doing great harm to the homebuilding industry. The Treasury's financing activities under such a policy must unavoidably drain money out of the very institutions on which homebuilders must rely for mortgage credit. I urge every Member of Congress to read the NAHB letter.

In this connection, I ask to have printed in the RECORD a resolution passed by the National Association of Real Estate Boards last fall, in which they adopt this same position.

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

STATEMENT OF POLICY, 1960, NATIONAL ASSOCIATION OF REAL ESTATE BOARDS, ADOPTED NOVEMBER 12, 1959, TORONTO, CANADA

1. Remove the statutory interest rate ceiling on long-term Government bonds in order to reduce inflationary pressures and the impact of rising interest rates resulting from the Treasury's necessity for refunding the public debt through issuance of short-term obligations.

2. Require allocation of a portion of each year's Federal revenue to the reduction of the public debt to insure its systematic retirement.

3. Amend the 1946 Employment Act to give equal stress to price stability as well as maximum employment as primary objectives of national economic policy.

4. Require that loans and contractual obligations which ultimately become charges on the public debt be approved by the Appropriations Committees as well as legislative committees of both Houses of Congress.

Federal Reserve System: We deplore the widespread current misunderstanding and criticism to the effect that the Federal Reserve System has created the present tight-money condition. On the contrary, the Federal Reserve System has pursued a policy directed against inflation to the long-term benefits of not only the real estate industry but all segments of the American economy. We applaud these actions of the Federal Reserve System and urge its continued zealous regard for preserving the soundness of our monetary system.

FEDERAL HOUSING ADMINISTRATION

We congratulate the Federal Housing Administration on its 25th anniversary, and share with millions of American people a heartfelt appreciation for the great contribution which this agency has made to the principles of home ownership.

We urge the 86th Congress upon its reconvening in January 1960, to provide the FHA with insurance authorization on a continuing basis thereby avoiding any threatened reduction in its insuring activities.

We commend the Federal Housing Administration for its extension of the certified agency program to small communities on a national basis. We urge its early extension to the sale of existing housing in larger communities and metropolitan areas.

We strongly recommend that the Congress authorize the Federal Housing Administration to use up to 35 percent of its earnings from fees, charges, and insurance premiums for administrative expenses.

INDEPENDENT FEE APPRAISERS

The use of fee appraisers in connection with the processing of FHA mortgage insurance applications on existing homes and the certified agency program, with its use of fee appraisers, are making a material contribution to the existing house market and reflect a heartening recognition by FHA of private enterprise in the appraising of homes.

We recommend the support and cooperation of the American Institute of Real Estate Appraisers and the Society of Residential Appraisers in the development of an educational program which would be directed at: (1) Providing a source of qualified fee appraisers to meet the needs of an expanding certified agency program, and (2) maintaining a desirable degree of proficiency on the part of FHA fee appraisers and fee appraisers approved for the CAP program.

VETERANS' ADMINISTRATION

The expansion of the FHA certified agency program, coupled with the lowering of minimum downpayments and extension of maturities during the past years, make unnecessary the extension of the veterans' home loan program for World War II veterans beyond its present July 25, 1960, termination date.

We urge the Congress, pending the complete termination of the VA program, to authorize the Administrator of Veterans' Affairs to adjust the interest rate on such loans to the same extent as the FHA Commissioner may adjust such rates.

FEDERAL NATIONAL MORTGAGE ASSOCIATION

We call upon FNMA in its secondary market operations to activate without further delay the two changes in its charter approved by the Congress in the 1959 Housing Act, to (1) increase the maximum mortgage eligible for purchase to $20,000 and (2) make advance standby commitments for the purchase of mortgages on existing housing.

Like the Federal Reserve Board, the Federal National Mortgage Association's secondary market operations should be within the executive branch but not under it. Its secondary market operations cannot function effectively unless it is divorced from the Housing and Home Finance Agency and freed from Treasury control in its public borrowings. Only then can FNMA serve the mortgage needs of the American people in the same manner and with the same degree of effectiveness that the Federal Reserve Board serves the commercial banking system. We urge the Congress to enact such legislation.

EXCESSIVE DISCOUNTS

We view the present state of the residential mortgage market as posing a great threat to the home-buying public and the national economy. We deplore the lack of restraint by those mortgage lenders whose insistence on unreasonably high discounts on residential mortgages reflects their anticipation of future tightening of the market rather than current conditions. The resulting spiral of rates and discounts is most apparent.

We call upon the lenders to exercise restraint in charging discounts and to impose only those discounts which actually reflect the current price of mortgage money in the area.

HOUSING FOR LOW INCOME FAMILIES

We commend the increasing efforts in private industry to provide good quality new and rehabilitated housing for families of low income, particularly in use of the FHA Section 221 program for families displaced from their residences by governmental action. We urge an increasing use of this program for expanding the extent of home ownership among families of low income.

For adequate housing of dependent families, we support direct assistance through local welfare agencies and existing State and Federal public assistance agencies. However, such direct assistance should be provided only with respect to shelter which meets the standards of an adequate modern housing code.

HOUSING FOR ELDERLY PERSONS

The growth of our population has directed increased attention to the housing needs of elderly persons. We urge member participation in section 231, added to the Federal Housing Administration programs by the Housing Act of 1959, which provides the means for financing the construction and acquisition of housing for elderly persons, without subsidy, and within the framework of private enterprise.

PUBLIC HOUSING

We commend the Administrator of the Housing and Home Finance Agency for his decision to launch a searching analysis and review of the public housing program and its failure to meet its much vaunted objectives of housing families of lowest income.

We commend to both the Administrator and the Congress consideration of the clear and unmistakable evidence that the social evils generated by public housing have aggravated rather than alleviated the economic and social problems which spawned the public housing program.

We call upon the Administration to exercise its constitutional executive discretion by declining to implement the recent action of the Congress authorizing an expansion of this program.

OMNIBUS HOUSING LEGISLATION

Annual omnibus housing bills distort the will of Congress by bringing about the enactment of controversial subsidy housing programs whose enactment would be unlikely were they to be considered separately. Such omnibus housing bills which generated the bitter legislative controversies in 1958 and 1959 constituted a disservice to the American people, who thereby suffered the enactment of costly, unpopular programs in order to keep alive programs essential to the national economy.

We urge the Congress to consider legislation affecting the statutory functions of each constituent agency of the Housing and Home Finance Agency as separate bills.

FEDERAL TAXATION

Retirement deductions for self-employed: We urge the U.S. Senate to take favorable action on the Smathers-Keogh-Simpson bill (H.R. 10) which was approved by an overwhelming majority of the House of Representatives. This legislation would permit self-employed persons to take certain tax deductions for investment in retirement funds.

Subchapter S: We recommend that subchapter S of the Internal Revenue Code be amended to repeal the restriction that a real estate corporation, more than 20 percent of whose income is attributable to rents, may not make an election not to be taxed as a corporation.

We also recommend that the holding of preferred stock by the FHA in project mortgagor corporations not be a bar to election not to be taxed as a corporation under subchapter S.

We oppose the legislative recommendations of the Treasury that stockholder-employees of electing corporations under subchapter S not be permitted to participate in tax deductible pension and profit-sharing plans if they own more than 5 percent of the stock of the electing corporation.

Capital gains for real estate dealers: Real estate dealers often fail to obtain capital gains tax treatment on property held for investment because of the difficulty in overcoming the presumption that all real estate held, and sold by dealers is primarily for sale in the ordinary course of business. The Federal Tax Code should be amended by establishing definite criteria, the fulfillment of which would make it certain that capital gains tax treatment would be permitted upon the disposition of real estate held by a dealer for his investment account.

Real estate investment trusts: Increased equity investment in real estate is vital to the growth of our economy. Real estate investment trusts enable small investors to put savings in real estate but Federal laws subject such trusts to corporate tax rates, thereby imposing a disproportionate burden on investments in real estate as distinguished from other forms of investment.

We urge Congress to enact the necessary legislation so that the passive income from real estate investment trusts may be accorded tax treatment comparable to that now applicable to income from security investment trusts.

Residential capital losses: Since the gain on the sale of a taxpayer's residence is taxable to the home owner, the Federal tax law should be amended so as to recognize losses as well.

Depreciation: The depreciation of income-producing real estate should be considered by the Treasury Department as a return of invested capital rather than as a means of replacing property upon the expiration of its useful life. The depreciation rate or period should be determined by the taxpayer.

If annual deductions for depreciation continue to be determined by the remaining useful life of the property, we recommend that such depreciation allowance be adjusted annually by the application of a cost index to reflect the current replacement cost of the improvements.

THE PUBLIC DOMAIN

Disposition of public lands: We urge a basic policy of retaining in the public domain lands that are clearly charged with a public interest, including parks, national monuments, and forests necessary for watershed protection and erosion control. With respect to public lands that now lie in the path of urban business, industrial, and residential development, and which are suitable for sound development to those purposes, we urge disposal to private ownership with reversionary rights to the Federal Government in the absence of private developments within a reasonable time.

Shoreline areas: We view with concern the pendency of Federal legislation providing for the condemnation of privately owned farms, business, residential, and resort properties for transfer to the national park system. Approval of these bills will establish a precedent which will threaten the concept of private ownership of shore properties. Federal condemnation authority for this purpose should be exercised with great restraint, and with due regard for the public interest already being served by private ownership.

URBAN RENEWAL AND NEIGHBORHOOD CONSERVATION

The work of overcoming blight, squalor, and deterioration in older city areas is of paramount importance to the stability of urban centers and the health of local government.

Equitable public policy requires that federally assisted urban renewal programs seek the greatest possible extent of improvement to housing and neighborhood environment. This can be attained through a conservation emphasis in urban renewal giving the greatest feasible scope to the curative power of rehabilitation and modernization, and resorting to the more costly and slow moving process of total clearance with complete redevelopment only in those exceptional areas of extreme deterioration that will respond to no other treatment. We support the urban renewal program urging its administration under such a policy.

Specifically, we urge that conservation be given its full scope in urban renewal by formal policies that will require:

(1) Actual performance in the enforcement of a modern municipal ordinance containing health, safety, and sanitary standards for housing as a firm prerequisite to any measure of Federal cooperation in urban renewal.

(2) A system of processing applications for Federal assistance in proposed urban renewal projects that will give priority to those programs based predominantly on rehabilitation or conservation procedures.

Looking to the future, in order that cities may depend less upon Federal assistance in urban renewal, we urge that Congress gradually reduce the Federal portion of financing urban renewal costs.

BUILD AMERICA BETTER

We commend the Association's Build America Better Committee for the work it is doing to build a more adequate understanding of the importance of conservation and economic foresight in urban renewal programs; for its encouragement and tangible assistance to municipalities in establishing local neighborhood conservation programs to eliminate slums and blight; and for the special advisory service it provides to our member boards.

DISPOSITION OF GOVERNMENT SURPLUS PROPERTY

We applaud the action of the General Services Administration in its use of private real estate brokers in the disposition of Government-owned surplus industrial properties. We urge expansion of this program in the disposition of all surplus real estate.

ADVANCE FEE RACKET

We commend the Federal Trade Commission for its past and current efforts to suppress the so-called advance fee racket involving fraudulent representations in connection with the sale of real estate in interstate commerce, and we also commend the Senate Permanent Investigating Committee for its painstaking probe of this racket. We strongly urge the Department of Justice to assist these efforts to suppress this racket by diligent prosecution of its perpetrators under existing provisions of the United States Criminal Code.

POLITICAL PARTICIPATION

We urge upon individual members the acceptance of the citizenship responsibility of active participation in political activity of the member's choice. In no other way can we be assured of good government in the United States.

HOMEOWNERSHIP

Widespread homeownership is a distinguishing attribute of the American way of life, contributing to a high level of citizen responsibility, and providing the individual family with an aid to stability and saving.

The real estate profession will continue its efforts to put homeownership within reach of a wider range of family incomes. One force toward a greater extent of homeownership is the growing public esteem for it, and we urge all member boards to participate actively in the Association's annual buy a home—first program.

LICENSE LAWS

We urge that licensing of persons to engage in the practice of real estate be based upon uniformly high standards of business conduct and incorporate provisions that will justify States entering into agreements for reciprocal licensing of brokers and salesmen without the necessity of additional examinations.

We urge upon our State legislatures and license law officials the establishment of educational prerequisites for qualifications prior to examination.

We offer to State associations every cooperation in securing the adoption of real estate license law provisions consistent with the recommendations contained in the "pattern license law" as developed by this Association.

EDUCATION

To elevate the standards of our profession and our service to the public, we again urge real estate boards in States which have no educational requirements for licensing, to establish appropriate educational requirements for board membership.

Realtors should accept responsibility for encouraging full-time employment and "on the job" training of employees and salesmen.

We will continue to cooperate with universities, colleges, and other institutions of learning to improve the knowledge and capacity of our present and future members, and we encourage such institutions to continue to include the best qualified members of our profession as consultants or lecturers in order to provide the most effective program.

MEMBERSHIP DEVELOPMENT

Membership as a Realtor is a valued privilege and responsibility, to be jealously guarded by members and member boards alike. Membership should be open to all persons qualifying by character, training, and ability in accordance with standards determined by the individual board having jurisdiction.

PROFESSIONAL STANDARDS

Consistent adherence to high standards of professional conduct must be the practice of every Realtor. We recommend that every member board maintain ethics and arbitration committees charged with the duty of enforcing the Code of Ethics.

REAL ESTATE RESEARCH

The competence of Realtors is furthered by the development of information through technical studies in the field of real estate. Our own valuable work in current market studies should be expanded, and we urge continued cooperation between this Association, its institutes, and the Urban Land Institute in the development and financing of special research studies.

REALTOR PROMOTION

It is important that the public fully understand the meaning of the term Realtor as a designation applying only to active members of boards of our National Association who are committed to our Code of Ethics. We urge Realtors and member boards to promote the term Realtor, and to use the many aids for this purpose provided by the National Association of Real Estate Boards.

RESOLUTION OF THANKS

At the close of a memorable annual convention in Toronto, we express our thankful appreciation to James M. Udall, president of our Association, for his untiring efforts on behalf of the real estate profession, to our convention cochairman, Clifford W. Rogers, of Toronto, and Leonard P. Reaume, of Detroit, to the Toronto Real Estate Board and its convention committees, to the Ontario Provincial Association and the Canadian Association of Real Estate Boards, to the speakers and participants in our sessions, and to our competent staff for the careful planning and thoughtfulness that have contributed so largely to the success of our meeting.

We also express our appreciation of the fair and able manner in which press, radio, and television have reported our proceedings to the public.

Respectfully submitted.

NAREB Resolutions Committee: Fred C. Tucker, Jr., Indianapolis, Ind., Chairman; Benjamin F. Bermel, Minneapolis, Minn., Vice Chairman; Warren M. Atkinson, Indianapolis, Ind.; Arthur F. Bassett, Royal Oak, Mich.; William R. Blake, Flushing, Long Island, N.Y.; J. Beverly Brignac, Lafayette, La.; Alan L. Emlen, Philadelphia, Pa.; Arnold Goldsborough, Wilmington, Del.; A. A. Horsfeldt, Portland, Oreg.; D. W. Martin, Prescott, Ariz.; Sylvan M. Maxwell, North Miami, Fla.; Hugh Potter, Houston, Tex.; Percy E. Wagner, Oak Park, Ill.; Floyd Willey, Manchester, N.H.; Charles W. Williams, Albuquerque, N. Mex.

AMERICA'S DETERIORATING POSITION IN WORLD TRADE

Mr. MAGNUSON. Mr. President, last week I introduced a bill which sets forth a problem involved in the field of foreign commerce.

During the last session of Congress, our Committee on Interstate and Foreign Commerce began an intensive study of America's deteriorating position in world trade. I am sure that Senators are all well aware of the magnitude of this problem. During the past 2 years, the United States has lost many of its markets to foreign competition, while our imports have risen to their highest level ever.

In 1959 our country experienced one of the smallest surpluses in commodity trade in its history, which means another year of deficit financing to realize the millions of dollars which we are spending abroad in the form of military and economic aid, and to compensate for the millions more which flow overseas through private investment, shipping charges, personal remittances and the like. As a result of our failure to pay our way in the world by earnings from the export of American products abroad, the United States has suffered an unprecedented balance of payments deficit in the order of $3½ to $4 billion for the second consecutive year—a turn of events which can only lead to a further depletion of gold reserves and loss of international confidence in the dollar.

Realizing that the strength of our export trade is the foundation upon which America's economic leadership in the free world must be based, our committee has concentrated its study on discovering the specific areas where our sales abroad have faltered and why. We have been concerned to find what action this Government can most effectively take to stimulate foreign demand for American goods and services in order to bring foreign earnings back into balance with our expenditures abroad.

We proceeded down the line, commodity by commodity, and found that a part of the reason for our current trade deficit is that the United States is now buying more foreign iron and steel abroad than it sells, buying more passenger cars than it sells, buying more textile products than it sells, and so forth. Yet our net loss of dollars through the exchange of these products turned out to account for only a small fraction of the dramatically adverse tilt in our balance of payments. Then we made the discovery that the largest single factor in that imbalance does not arise from the exchange of goods at all, but from the exchange of people.

I have recently seen a document issued by the Department of Commerce entitled "U.S. Participation in International Travel." I heartily commend it to the attention of every Member of the Senate. You need only read the first page to know one of the main reasons why we have a balance of payments problem and to identify the one export market most deserving of our attention. One need not be an expert in international trade to know that a dollar spent for the purchase of foreign goods and services represents an import whether it is spent in the United States or outside of the country. By the same token, an export occurs whenever and wherever a foreigner purchases American goods and services. In 1958—the last year for which statistics are available—this pamphlet shows that American tourists spent almost $1,800 million abroad, making foreign tourism by far our largest single import. In 1958, Americans spent $150 million more on foreign tourism than on foreign oil, our largest commodity import, $600 million more than on coffee. In 1958, Americans spent more on foreign tourism than on foreign automobiles, foreign textiles, and foreign newsprint put together. In contrast to this, the combined expenditures of foreigners who visited the United States in 1958 were slightly more than one-half as much, making tourism stand a poor fourth among America's exports. As a result, the imbalance between America's international tourist expenditures and tourist receipts was a staggering $866 million—an amount equal to 25 percent of our Nation's balance of payments' deficit.

This net outflow of tourist dollars—the travel dollar gap—is nothing new, of course. Americans have always traveled abroad in larger numbers than foreigners who visit the United States. The important thing is that the gap has never been so large nor increased so fast. Since World War II, the volume of America's foreign trade, both imports and exports, has fluctuated up and down; our balance of payments position has varied from year to year. But the remarkable thing about this travel dollar gap is that, unlike the other elements in our total trade picture, it becomes consistently worse every year. In 1949 it amounted to only $360 million. By 1953 it had jumped to $477 million. In 1954 it reached $540 million, in 1955 it was $640 million, 1956, $751 million, 1957, $770 million, and in 1958 it had climbed to $866 million. At the present rate of increase, last year's loss of foreign exchange due to travel abroad will be periously close to $1 billion, and it will be double that within the next decade.

Why are we slipping further and further behind in the field of international travel? I believe that much of the answer to that question lies in the fact that we are almost the only country in the world which does not promote foreign tourism as a matter of national policy. Each year, foreign governments through their national tourist officers or through government-owned carriers, spend lavish amounts to lure tourists to their countries. Here are the figures: In 1958 Great Britain spent $2.8 million for the British Travel and Holidays Association; France spent $2.6 million on its Office of Tourism; India spent $1.5 million; New Zealand, $1.6 million; Russia, $500,000; even little Haiti spent $200,000 on tourist promotion. These are worldwide expenditures. The amount spent in the United States alone by all foreign government tourist offices was over $5 million in 1958. Add to this the huge

sums of money spent in advertising and promotion by such foreign government-owned carriers as Air France, BOAC, KLM, and so forth, and the total amount devoted directly and indirectly by foreign governments to luring Americans abroad every year would probably total well over $20 million. But Senators need not take my word for it. They need only to pick up the morning newspaper and count the number of foreign advertisements which proclaim the excitement of touring Europe in the know, the pleasure of an air-conditioned cruise to the West Indies and South America, and the fun of relaxing at a Nassau beach where the temperature is 80 degrees. One has only to scan the latest copy of one's favorite magazine to see why gourmets go to Europe in the spring. Let him turn on his local radio station and hear Charles Boyer invite him to enjoy the Paris theater with him. If laid end to end the amount of foreign government-subsidized travel literature appearing in the American press every day would probably stretch from here to the French Riviera and back. Considering the number and variety of such foreign travel inducements—reaching every home in America—it is easy to understand why the promotion of foreign travel is big business in most other countries. In many of these countries the national director of tourist promotion is a cabinet level position.

Foreign tourism is sometimes referred to as an "invisible export." I always wondered about that description until I examined what the United States is doing to encourage visitors from abroad. So far as its relation to our total world trade picture is concerned, the importance of tourism seems to have been completely invisible to our own Government. In contrast with the efforts of other nations it is fair to say that the United States does virtually nothing to encourage foreigners to travel here. Incredible as it seems, our national tourist promotion budget is only one-third what is spent by Haiti, for example. It is even less than what is spent by the Government of Singapore and only slightly more than what is spent by the island of Cyprus. The closest approach we make to a ministry of tourism is a small office buried far down in the lower echelons of the Department of Commerce, and even this group has only recently come into existence. At present, virtually the entire burden of promoting the United States internationally as a tourist goal must be shouldered by a handful of privately operated international carriers such as Pan American, TWA, and the United States Lines. Yet even these carriers must understandably direct their efforts toward selling their own services rather than promoting the United States as a travel destination.

I should say at this point that one small attempt was made by our Government to encourage foreign travel when President Eisenhower announced his visit-U.S.A.-1960 program. A high sounding proclamation was issued, committees were formed, letters were written—but not one nickel of money was appropriated to finance the promotional effort required if this program is to be a success. As a matter of fact, the President's announcement was accompanied by a 40 percent cut in the Department of Commerce's funds for the Office of International Travel, the office responsible for coordinating this program.

One would have to be deaf, dumb, and blind not to see some correlation between the massive efforts at tourist promotion made by foreign governments as compared with ours, and the ever-increasing flight of tourist dollars from the United States. If our Government is serious about righting its balance of payments, if we are really in earnest about stimulating American exports, then it is high time we did something to correct the greatest single gap in our balance of payments and shore up our most important export market. If the Government can afford to spend millions on promoting the sale of American commodities abroad through international trade fairs, commercial attaché services and other trade development work, then surely we can afford something more than pious words for the promotion of tourism.

Unlike the sale of an American automobile, a tractor, or a shipload of wheat abroad, which benefits only one American exporter, the foreign tourist provides a market which benefits scores of businesses in this country—the carriers, the hotel and restaurants, the dry cleaners, the bootblacks, and every one else with whom he comes into contact. But more important than this, the foreign tourist takes with him not only American goods and services, but a vivid and lasting impression of American life, American friendliness, and American good will. And these are the commodities we should most of all be concerned to export.

The type of program urgently required if we are to broadcast America's welcome to potential travelers throughout the world cannot be obtained without purposeful direction backed by adequate funds. This is something our foreign friends have known for years; but we need not look that far away. Our own 50 States are now spending a total of over $17 million per year in tourist promotion activities, and in many cases it is the most profitable investment a State can make. Based on their experience, it has been shown that the amount spent in bringing visitors into an area is returned many times over in the form of additional tax revenue resulting from tourist expenditures. On the national level, it has been estimated that $1 out of every $10 spent in the United States by foreign visitors flows into the Federal Treasury through various forms of taxation. Thus, in 1958 foreign visitors accounted for over $85 million in Federal revenue. An adequate national program for travel promotion could easily be conducted for a small percentage of this amount, and therefore would be completely self-supporting.

This type of program is called for in the legislation which I now introduce. The bill provides for the creation of a high-level Office of International Travel and Tourism which, for administrative purpose only, would be within the Department of Commerce. It would be headed by a Presidentially appointed Director and would have authority to establish branch offices overseas. The primary function of the Office as set forth in section 3 of the bill would be to develop, plan and carry out a comprehensive program, utilizing all appropriate media of public information and communication, designed to stimulate and encourage travel to the United States by the residents of foreign countries for the purpose of study, culture, recreation, business and other activities conducive to better international understanding of the people and institutions of the United States. In addition, the Office would inherit the various statistical and representational duties of the present Office of International Travel and would be the Government agency responsible for facilitating international travel generally.

I should stress here that it would be the chief purpose of the new Office to publicize the benefits and attractions of the United States generally as a travel destination, and not to support, supplement, or subsidize the self-interest advertising done by any component of the private U.S. travel industry. On the other hand, the Office would be prohibited from engaging in any activity in competition with private industry; it would not, for example, sell tickets, arrange tours, or provide other normally commercial services.

The Office would be assisted by a Travel Advisory Board composed of 12 members appointed from private life by the President, with the duty of recommending policies and programs to be followed by the Office in carrying out the purposes of the act.

In support of their functions the Office and Board would have an authorized budget equal to one-half of 1 percent of the amount spent in the United States by foreign visitors during the preceding calendar year, as determined by the Secretary of the Treasury—an amount equal to a mere one-twentieth of what these visitors contribute to the U.S. Treasury, as I have already explained.

In asking for support of this measure, I shall conclude by reminding Senators of these facts:

The travel dollar gap now accounts for a full 25 percent of the U.S. balance-of-payments deficit, yet foreign travel is the one "export" which we are doing nothing tangible to promote.

Foreign travel is the one export which offers a direct market benefit to the greatest number of Americans—down to the smallest businessman.

Foreign travel is the one export which provides a psychological as well as a monetary dividend to the United States.

Foreign travel is the one export which can be promoted on a self-supporting basis.

I think these are compelling reasons for making the real effort toward expanding our foreign travel market that is called for in this bill.

MUTUAL SECURITY PROPOSALS OF THE DEPARTMENT OF STATE—INDUS WATERS PROJECT

Mr. MAGNUSON. Mr. President, the mutual security proposals of the Department of State currently before our Con-

gress contain an item of great interest; namely, the Indus waters project. This project is significant both from its humanitarian intent, involving the future welfare of 40 million people who live in the Indus Basin, and because it promises the possibility of an early settlement of a major dispute which since 1947 has embittered the relations between India and Pakistan. This project is also significant for a third reason. It is a proposal which departs from our normal bilateral approach to foreign assistance and contemplates a cooperative multilateral effort to be taken with other friendly governments for the financing of this huge program.

The program itself has been conceived by the International Bank for Reconstruction and Development and would be administered by that agency. The cost of the project is estimated to be in the order of the equivalent of a billion dollars. The dollar value of the proposed U.S. contribution is $515 million, exclusive of our contribution as a member of the World Bank itself. This U.S. contribution would consist of $177 million in dollar grants, $103 million in dollar loans, and $235 million in local currencies. Other contributing nations are Australia, Canada, Germany, New Zealand, and the United Kingdom.

Implementation of the financial plan and the participation of the governments concerned is contingent upon ratification of a water treaty now under negotiation between India and Pakistan. Participation is also subject to such legislative action as may be required in each contributing country. Thus, the proposed mutual security legislation, in addition to seeking authority for the use of funds for this project, contains other provisions specified as necessary to facilitate participation on the part of the United States. It is one of these special provisions to which I would refer.

Section 404 of the bill contains a provision that such funds as may be appropriated "may be used in accordance with requirements, standards, or procedures established by the Bank, rather than with requirements, standards, or procedures concerning such matters set forth in this or other acts." Among the U.S. requirements which would be set aside are the provisions of the Cargo Preference Act. This would be accomplished by providing that funds appropriated for this Indus Basin project may "be used without regard to the provisions of section 901(b) of the Merchant Marine Act of 1936, as amended, whenever the President determines that such provisions cannot be fully satisfied without seriously impeding or preventing accomplishment of such purposes." In this connection it has been reported to me that Hon. Douglas Dillon, testifying on this subject before the House Committee on Foreign Affairs, urged the waiver of this shipping clause in such terms as to imply that determination of the necessity for a waiver from the Cargo Preference Act has already been made.

This comes without Mr. Dillon appearing before any committee. It comes without any hearings on the subject, and would seem to me to imply that, despite the fact that our contribution in this particular case will run well over $515 million of a $1 billion project, exclusive of our contribution as a member of the Bank, there is not much intention of obtaining most of the supplies in the United States in cases in which that would be consistent with the project itself.

I can assure Senators that no one is more interested than I in the success of a project of this nature. At the same time I can assure you that no one is more concerned than I that such action might be taken on an arbitrary basis which would be detrimental to our workers and our industry. So far as I am aware, this proposed waiver of our shipping statutes has been put forward without any consultation with the agency of our Government most directly concerned with the state of our merchant marine, nor, so far as I am aware, have there been consultations concerning the necessity for such waiver as an incident to the success of the program.

A proposal of this nature creates a serious problem for the Congress. It has been our policy to require that whenever U.S. funds are contributed to programs for the assistance of foreign nations at least half of the material or commodities procured with such funds shall be transported on privately owned U.S.-flag commercial vessels.

It is appreciated that Mr. Dillon is concerned over the problems which may befall the International Bank in administering such a provision. This concern appears to center around the fact that U.S. funds would be comingled with the contributions of other nations and may be spent for procurement anywhere in the world. Is this not then the heart of the problem? Waiver from a requirement to transport a portion of the materials to be procured for this project must be sought because there is no assurance that any portion of such procurement will be made from the United States. We all know that our mutual security programs have provided jobs for U.S. workers as well as foreign assistance. It is a fact, however, that in recent years more and more of these funds have been used for procurement from foreign sources, and less and less spent in the United States. Was it not only a few months ago we awoke to find a deficit in our balance of foreign payments, and caution was urged by our fiscal guardians on this very subject?

It is now proposed under the terms of this legislation to waive any and all of such protective requirements as the Congress may have established as safeguards in the administration of its foreign assistance programs. Over one-half billion dollars of U.S. funds would be involved in this project. Are we to understand that as a contributor of more than half of all the funds to be used it would be improper, or detrimental to the project, to retain or apply any of the measures which have been found necessary in our own administration of foreign assistance? Is it necessary to this project to relinquish all control to the International Bank?

It is my hope that the Department of State will make a careful analysis of this situation to ascertain whether such assistance cannot, in fact, be accomplished without the necessity of such drastic waiver of our laws.

PERSECUTION OF BISHOP JAMES E. WALSH IN RED CHINA

Mr. BEALL. Mr. President, I rise to call the attention of the U.S. Senate to an atrocity of great magnitude. I have just learned through the Department of State that a so-called court in Red China has sentenced Bishop James E. Walsh to a term of 20 years in prison on trumped-up charges.

Bishop Walsh is a brother of the distinguished Judge William C. Walsh, of Cumberland, Md., and Father John Walsh, of the Maryknoll order. The bishop grew up in western Maryland.

This dedicated official of the Roman Catholic Church and a representative of the Catholic Foreign Mission Society is a victim of Communist terrorism. Some months ago, the news leaked through that Bishop Walsh had been arrested on charges that he was part of a revolutionary scheme against the Red regime. Bishop Walsh was in China as a missionary, concerned with the souls of the Chinese, not with politics.

Claims that Bishop Walsh was a tool of any government are fantastic. There is positive evidence that Bishop Walsh never had any connection with the American Government. When our consulates were there, he never once contacted them. He stayed away from national and international politics. His interest was solely in the religious life of the Chinese people.

His arrest was a shock to all of us who know him and to all right-thinking people everywhere. It had been hoped that the Red Chinese could be persuaded to release him. And now comes the dreadful news that they have condemned him to imprisonment for what likely amounts to a life term.

Bishop Walsh has given the best years of his life to the Chinese people. He could have left when the Reds came in, but he felt that his flock needed his moral support more than ever. Bishop Walsh chose to remain with the Chinese people whom he loved and for whom he had worked so diligently. It is sad that his self-sacrificing work for the Chinese people should be so miserably "rewarded."

The persecution of Catholic priests and nuns in Red China has been going on for years. Eighteen foreign Catholic priests have died of malnutrition while in the hands of their Red Chinese prison guards.

Here we have a horrible illustration of the methods of the Reds. They hate the church. They hate Christianity. And so, they strike out at a man who to them personifies the church.

I am not a Roman Catholic, I am a Protestant, but I want to say here and now that I for one have admired the firm stand the Roman Catholic church has taken against communism. It has never compromised with right. It has never wavered.

Mr. President, I hope that those people in this country who have been soft on communism and those who, while professing Christianity, have supported the deadly philosophy of godless communism will be unable to force from their minds the picture of this man of God suffering the torture of his dungeon.

If I felt that there was even an ounce of justice in the Red Chinese warlords, I would appeal to them to release this man who has never done anything worse to the Chinese than to comfort and console and counsel their people.

The atrocity of the Reds is here brought close to home.

ANNIVERSARY OF FOUNDING OF NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION — ADDRESS BY SENATOR OLIN D. JOHNSTON

Mr. SYMINGTON. Mr. President, the distinguished senior Senator from South Carolina [Mr. JOHNSTON] recently addressed the annual meeting of the National Rural Electric Cooperative Association in St. Louis, Mo. This meeting commemorated the 25th anniversary of the founding of the association. In his address Senator JOHNSTON pointed up the contrasts in his State and in our Nation between pre-REA days and the present. He spoke of what the REA program has meant to all our people, as well as to the farmers.

The Senator's speech also contained an illuminating discussion of the subject of interest rates and their effect on the American consumer.

I commend this address to the attention of all my colleagues.

Mr. President, I ask unanimous consent that the address by Senator JOHNSTON at the 18th annual meeting of the Rural Electric Cooperative Association on February 23, 1960, at St. Louis, Mo., be inserted at this point in the RECORD.

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

DON'T LET THEM PUT YOUR LIGHTS OUT

(Address of Senator OLIN D. JOHNSTON, Democrat of South Carolina, at the 18th annual meeting of the National Rural Electric Cooperative Association on Feb. 23, 1960, St. Louis, Mo., commemorating the 25th anniversary of the founding of the National Rural Electric Cooperative Association)

Distinguished ladies and gentlemen, I am deeply honored by the invitation to speak to you today. I know of no public occasion which would give greater pleasure than to be with the men and women who have sustained and who are maintaining the rural electrification program of our Nation.

My director from South Carolina, Bill Hunter, who is a native of Newberry, S.C., reminds me of the long haul we have had during the past 25 years, and more, to bring light to the farmers of America in an era of electricity.

I remember, when Hoover was President and I was campaigning for Governor of my State, how dark the times were and how dark the rural areas of my State were. I was traveling through Newberry County during this particular campaign and I stopped on the roadside. We had heard a lot about Mr. Hoover's promise that prosperity was just around the corner.

Bill Hunter was born in a town called Prosperity, and it just so happened that I stopped on the road right alongside a sign which said, "Prosperity." Politics will be politics. I stood up in the sunlight on that hill and, shading my eyes, I looked down the road to see if I could see the town of Prosperity around the corner. I knew if there was any "prosperity" in South Carolina under Hoover, it was only Bill Hunter's home town.

Some photographer took my picture and they spread it all over the countryside in the papers. As things turned out, the only prosperity South Carolinians had while Hoover was in office was Prosperity, S.C. The people must have remembered me and my picture along the roadside because it wasn't long after that they elected me Governor. That was in 1934. I know Mr. Hunter remembers those days.

One of the promises I made during the campaign was to do something to help our farmers obtain electricity. There had been all kinds of statements to the effect that it was not feasible to bring city electricity in any way to the farmers of our country. Of course, in most cases the only word that we had on the economics of the situation was the word of the big power companies. High financing was just something the average farmer could not delve into too deeply because he had no facilities or organization to help him.

As Governor of South Carolina I thought I could help, and so I went to Washington as governor-elect even before I took office. I had an idea President Roosevelt could help us bring electricity to the rural people of our Nation. Of course, I had South Carolina primarily in mind at the time. When I outlined to President Roosevelt South Carolina's case, he called in Harry Hopkins, his right-hand man at the time, and told him immediately to take the necessary steps to grant South Carolina $100,000. Roosevelt said if we would set up a State rural electrification agency, he would give South Carolina the money with which to conduct a survey and determine the feasibility and requirements of a rural electrification program. Simultaneously he said he thought it would be a good program for the Nation.

I went back to South Carolina and, with the help of the General Assembly, established a State Rural Electrification Administration. We received the $100,000 and made our study. Later in the year the Congress of the United States created the National Rural Electrification Administration. This was the beginning, and you know the rest of the story. Farmers mustered their strength and in the vacuum of need created rural electric cooperatives all over our Nation. Now, when I fly over the countryside it is no longer dark at night, for the farmers of my State and every other State in this Nation have electricity. The Nation's bright cities are linked with shimmering chains of lighted farms. What was once declared impossible by the powerful private power trusts today is an economic success story, second to none. The entire rural electrification program has been the greatest investment the Federal Government ever made in rural America. It is truly a cooperative program. The farmers, through these cooperatives, have created an electrical distribution system that is not only paying its way but is paying back the Government loans with interest.

There are about a thousand rural electric cooperatives that have paid back well over a billion dollars in principal and interest on loans made through the years. This is more than one-fourth of all the money loaned to all cooperatives in the entire history of the co-ops.

No program ever undertaken like this between the people and the Government has ever been so successful.

I only wish we had as little to grumble about concerning loans made to foreign nations during and after World Wars I and II as we do regarding the loans made to Rural Electric Cooperatives. We certainly would not have the national debt that we have today. There is not one politician in all of America, Republican or Democrat, who can blame 1 cent of the national debt on the rural electrification program in America.

With this thought in mind, I ask, in all sincerity, of all people in and out of politics who criticize the rural electrification program: Why do you want to turn the clock back and put the lights out in rural America with high interest rates?

When I made that trip to Washington in 1934, 97 percent of the farms in my State had no electricity. Today, in 1960, the 25th silver anniversary of the founding of the rural electric cooperatives of this Nation, I am proud to report that the picture is the reverse. More than 97 percent of South Carolina farms are receiving central station electric service.

I want to emphasize that in all the loans made to all the rural electric cooperatives throughout this Nation, there has never been the first ounce of scandal. No, not one Dixon-Yates deal in the 25 years of the rural electric programs. You know the kind of people who were mixed up in the Dixon-Yates deal and who are now running ads in national magazines pointing an accusing finger at the rural electric cooperative programs as being some sort of subsidy to the farmers? The same kind of people today have launched their latest attack against the rural electrification program in the form of an attempt to hike interest rates.

Completely overlooked in this attempt to raise the interest rates on loans to co-ops is the fact that in this era of inflation, the farmers' income has been deflated. Farmers' incomes have dropped almost a billion dollars a year ever since the present administration took office. The cost of living to the farmers in the form of goods and services they must buy and their production costs for running their farms has increased every year since Mr. Eisenhower took office. The administration on every hand has increased interest rates in practically every field where they thought they could get away with it. The most heinous statement yet to come from the Eisenhower administration was uttered by the President himself earlier this year when he said if there were to be any tax cuts that he would recommend they come to the high bracket boys, the industrialists, the manufacturers, the money lenders, and those who need a tax cut the least.

Can you imagine the President of the United States, on the one hand advocating tax cuts for the highest income group people in the world; and, on the other hand, advocating higher interest rates against the people who have suffered the most in an inflation-deflation squeeze economy?

I could have imagined such ridiculous economic figuring 30 years ago, but I never thought I would see the same situation arising again in one lifetime. To me, there is little difference between Hoover's predictions of prosperity just around the corner, and Eisenhower's promises of a halt to inflation just around the corner.

There is not one person in the whole crowd of criers for higher interest rates for rural electrification programs who has ever said one word about the high interest rates that the rural electric co-ops paid when the program was first started. The co-ops when first started, were paying practically the highest interest rates charged anyone for that day. Is there not to be some consideration of this fact?

Another thing: Every time some foreign country gets in a financial squeeze and can't make some loan repayment to the World Bank, or the United States, or some other branch of internationalism, we look down sorrowfully at our friends and say, "That is all right; we will put the loan off another year and lend you a few billion to help you along, and we'll also forget about the interest." I don't know how many times that has been done for some foreign country. But here we have our own people, the American farmers, in the worst economic squeeze in 30 years, and what does our Government want to do? Does it want to help them? Does it want to forget any of its loans? No, this Republican administration wants to make it even tougher for them by increasing the interest rates on their loans.

Knowing the farmers of this country as I do, I know they don't want their Government to forget these loans. They don't mind paying the interest rates they are paying. They are happy to do it, and proud to do it because they know that they are paying a fair return of an investment that all of America has made in the farming people of this Nation. If the truth were known, there is only a handful of people who seek to crucify the rural electric programs of America with high interest rates. The general public of America realizes what a great thing the Rural Electrification Administration has done for our economy and for the farmers of our country, and they don't want to scuttle this program.

The farmers are in a squeeze and those attempts to make the squeeze tight through high interest rates are unfair.

To the farmer it makes no difference whether a depression is cutting off his income, or monstrous inflation is eating up his income. He is in a squeeze either way, and any attempt to raise interest rates on co-op loans would surely result in a higher cost of living for the farmer. You just can't stop using electricity any more than you can stop eating. The good faith of the Federal Government is behind the rural electrification program, and it is time that big business woke up to the fact that in the long run, it is benefiting more from this program than are the farmers.

The people who lead the attack against co-ops are cutting off their nose to spite their face. There have been billions of dollars spent creating the electric lines, the utility poles, the switching stations, the generating plants, and the hundreds of thousands of other things needed to build and maintain co-op lines and central powerplants. All these things have been built by big business, and the co-ops have paid for them with hard-earned money. The Government didn't buy this material; the co-ops bought it.

Another thing overlooked by the uninformed enemies of the co-ops in this struggle for survival is the billions of dollars that have been spent by the individual farmers on electric irons, electric stoves, electric hot water heaters, electric toasters, electric hair dryers, air conditioners, and hundreds of other household appliances. Not one of these appliances would have been bought if it were not for the rural electric cooperatives which brought electricity to those farmers' homes.

I would hardly even attempt to expound on the billions of dollars spent by farmers in this Nation during the past 25 years for electrically operated machinery and equipment used in running our farms. The tremendous market that was exploded open by the creation of the rural electric cooperatives in America was a big help in the rejuvenation of industry after the depression.

Now I know I have been talking a great deal about the co-ops and their financial problems, or, I might say, threats against their financial stability. But then we are primarily concerned with the co-op program here today. We must look around us to see what to expect if the administration's drive for tight money and high interest rates succeeds.

Farmers, who represent most co-op members, always need credit to carry on their operations in every direction. Let's look at the record for a minute.

Nine days after Eisenhower took office, the Secretary of the Treasury sold Government securities at 2¼ percent or 2½ percent to replace the previous rate of 1⅞ percent. The increased rate might have sounded infinitesimal to the average citizen, but it added more than $30 million to the taxpayers' bill for repaying the public debt.

In 1952 it cost taxpayers $5.8 billion every year just to pay interest on the national debt. In 1960 it will cost us $8.6 billion. Approximately a 50-percent increase. What has caused this increase? Nothing but inflationary financing promoted by the present administration. Between now and 1961, the Treasury intends to borrow roughly $100 billion with which to pay off maturing bonds which were issued at the older lower rates of interest. Now each boost of one-fourth of 1 percent will add $250 million to the cost of carrying the debt each year. In 20 years it will add up to about $5 billion.

Last October the Treasury offered a 5-percent interest rate on a short-term issue. Compare this with the rate of approximately 2 percent that was in existence before Eisenhower's tight-money policy took hold. The difference, my friends, is the equivalent of $3 billion a year in interest on the books of the taxpayers of this Nation. Where is this money going? Why, it is going to the moneylenders, the people who are fighting to hike Rural Electrification Administration loan rates.

This type of financing has its effects on other debts. It helps to increase interest rates on the debts of not only the Federal Government but States, local, business, and consumer debts. If it were not for the fact that rural electric co-op loans are still fixed by law at 2 percent, the administration would probably be getting 4 to 6 percent from you today. They knew that the rural electrification program would be the hardest nut to crack in the drive to help the moneylenders increase their income on loans. So what did the administration do?

First it started pushing up the interest rates they would pay for money borrowed by the Government. It was not absolutely necessary to do this. They made plenty of excuses to hike interest rates, but I believe there were sufficient moneylenders in the country who were loyal enough to invest their money in the Nation's welfare at the then prevailing rates. There was never any subpena or concerted pressure on Eisenhower by the public to raise these interest rates. His requests for increasing these rates were voluntarily made. After the administration started hiking the rate of interest we would pay for money borrowed, then it started crying we would have to hike the rate of interest on money loaned by the Government in order to pay the higher interest rate the Government was paying on the original loans. Boosts were made in interest on loans for veterans' housing, and for Federal Housing Authority programs. Loans made through the Department of Agriculture in certain areas were increased and, in general, money has become scarce for farmers. The housing industry is in a bad way for lack of money resulting from high interest rates.

A homebuilder, before tight money, could have gotten a $10,000 Federal Housing Administration loan at 4 percent for 25 years. The same loan today requires 5¼-percent interest, which will amount to over $2,000 more in the cost of the home for which the homebuilder will get nothing. In some instances discounts are required which hike the tribute to the moneylenders by several hundred more dollars.

Before tight money, Farmers Home Administration loans were 3 percent. The administration hiked them to 5 percent. I fought this bitterly, and in one instance we achieved victory. By departmental order, the Agriculture Department raised the interest rate on emergency loans to farmers who had been wiped out by catastrophe from 3 to 5 percent. As a member of the Agriculture Committee in the Senate I introduced and successfully passed through Congress legislation requiring those loans to be set back to 3 percent. That, to my knowledge, is the only place where high interest rates were turned back.

I might add here that this interest rate hike was made without public notice and slapped on the farmers of the country during a time when farmers were suffering from drought and floods, and the peach farmers of my State from a terrible freeze. The Farm Credit Administration not long ago tried to get Congress to remove a 6-percent ceiling on loans made to farmers, but, as you may know, the effort failed.

The rural electric cooperatives today stand like an island in an ocean of inflationary financing. The floodwaters have been let in upon the lands of other programs to destroy the people's ability to build homes and finance crops and farm machinery. These financial floodwaters have similarly washed away savings accounts of millions of consumers, both city and rural in nature, and have now created the beginning of what amounts to a buyers' strike in many areas.

As we look around, we wonder who, if anyone, benefits at all from the vicious squeeze. No one benefits except the moneylenders. They, too, will lose if they continue on their insane drive for higher interest rates. When millions of people cannot buy homes, then millions of factories stop producing the requirements for constructing homes. It is in an evil cycle that eventually can put people out of work and can place the American economy in a depression posture.

It is predicted that in 1960 the volume of construction of homes in America will drop 12 percent simply because of tight money and high-interest rates. What does this mean? It simply means that 12 percent of the American population is going to be unable to buy a home because either the interest rate is too high or they just couldn't find the money to borrow. That is how high-interest rates and tight-money policies are affecting all Americans in just one field. If people are building less homes because of high interest rates and tight money, they will be buying less cars, less refrigerators, and less everything. When people buy less, the country must produce less; when we produce less, it means people work less; when people work less, they make less. When people make less, they pay less taxes; and when they pay less taxes, the Government must borrow more to keep going. Now we begin to see the picture of why the moneylenders don't seem to worry because tight money is taking a hold on the economy. The cycle means more borrowing at higher interest rates by the Government.

What is really behind the drive to increase rates against the rural electrification program?

Because the co-op loan program was written into law and cannot be changed by administrative action, it has become a symbol of resistance against high interest rates in the money world. The Rural Electrification Administration loan program is a thorn in the side of those who have promoted tight money and high-interest rates. It is a source of antagonism to Agriculture Department officials who have hiked hardship interest

rates on farmers; it is a point of departure from the smooth-operating high-interest rates imposed on housing loans by the present administration. It represents contrariness by a certain group of people to the moneylenders who have succeeded in raising their rate of income from every other group of Americans. The co-op program in truth has become the last remaining symbol of reasonable rates of interest on loans of any sort in this Nation.

This is one of the foremost reasons why the co-ops have now become the challenge to an amalgamation of enemies comprised of the tight-money policymakers in this administration, the moneylenders, and the utility monopolies who were enemies of the rural electrification program even before tight money and high interest.

The utility monopolies slipped into the fight for higher interest rates because it is the best current vantage from which they can attack the co-ops with effectiveness. They know that interest rates boosted high enough can ring the death knell of the rural electric cooperatives. The monopolists know that higher interest rates will make it tougher for cooperatives to be successful. They know that if interest rates go high enough, the cooperatives will have to raise their utility rates to members or go out of business.

Farmers, who are now caught in this economic squeeze, cannot pay higher rates. The co-ops, faced with delinquent members and dwindling income, would have to renege on note payments to the Government because of unbalanced budgets. It is then that high-interest rates would begin to put out your lights.

At the right moment, if the situation becomes grave enough, the monopolists, with help from the high-interest boys, would move in. With a burst of patriotic propaganda they would probably offer to buy up the bankrupt cooperatives "to help our Government."

Since cooperatives are thriving businesses, they would make a rich plum for anyone to gobble up in such a squeeze play under the present conditions. Of course, no one wants to pay the true value of the co-ops. The monopolists would probably offer to take up the cooperatives for whatever was owed the Government, raking in all equity as gravy.

With fee simple title in one pocket and unlimited utility rates in the other, the monopolists would walk off with 25 years of sweat, blood, and tears of millions of farmers as a net profit.

This is what could happen to you. This is how your lights could be turned off. Fantastic? No more fantastic than the situation you were in 25 years ago when you didn't have electricity. The attempts to drown the co-ops along with all the other programs that have been engulfed by high interest rates and tight money policies are becoming more numerous and come in ever-varying ways. Not long ago the President asked for blanket authority with which to change interest rates in any direction he wants. The administration is out to take away all authority Congress has over the financial policies of this country.

The Federal Government, by the stroke of the pen of the President or by his word passed on to the various executive branches, can change the market situation on any commodity. The Federal Government buys more of everything than anybody else in America. It uses more food, more steel, more automobiles, and more money than anybody else.

We cannot afford to give any administration blanket monopolistic powers to change the price of money. You are buying money when your Government borrows it, and the price it pays takes on the form of interest rates which you have to pay for in taxes.

To me, the loan program to the rural electric co-ops represents the last thing for us to hang onto if we are to turn back the tide of inflationary high-interest-rate policies. It may be a thorn in the side of those who want to monopolize their control over our economy, but to me, it is a crusade banner for all to follow who oppose high interest rates. You can mark me up as your first enlisted soldier in this fight, and I, for one, will carry your banner in the U.S. Senate. Each one of you here is a soldier enlisted in the cause of preserving our rural electric co-ops, and it is your duty to go home and talk and vote the way you feel about high-priced money. It is up to you, because there is no one in the White House who will fight your battles this day.

As you know, I am a partisan politician. I am a solid Democrat, and I could not talk to you sensibly about your cause without injecting some politics, because politics runs the country. If you are unhappy with the present policies toward the rural electric co-ops, then it is your duty to see to it that a different kind of administration is put in the White House in November. Whatever administration is elected to succeed Eisenhower, it will continue to be the tool of the high-interest-rate and tight-money policies if it is the same kind as the present. The faces of White House occupants may change, but their financial policies will not change so long as they are of the same breed which is now running things.

Don't let them put your lights out.

VISIT TO THE SENATE BY BRAZILIAN CONGRESSIONAL GROUP

Mr. SPARKMAN. Mr. President, it is my pleasure to present to the Senate some distinguished visitors who are now present in the Chamber. The group consists of seven members of the Parliament of the great Republic south of us, Brazil.

These seven gentlemen are in the United States for about a month to study public works, particularly river valley improvements, to see if they can find something of value to apply in their own country, in the great Sao Francisco Valley there.

It is my pleasure to introduce the following members of the delegation:

The Reverend Luiz Medeiros Neto, member of the Chamber of Deputies from Alagoas, and vice chairman, Sao Francisco Valley Committee, Social Democratic Party.

The Reverend Paulo Freire de Araujo, member of the Chamber of Deputies from Minas Gerais, Republican Party.

The Honorable Jose Passos Porto, member of the Chamber of Deputies from Sergipe, National Democratic Union.

The Honorable Edgard Agnello Pereira, member of the Chamber of Deputies from Bahia, Social Democratic Party.

The Honorable Manoel Jose de Almeida, member of the Chamber of Deputies from Minas Gerais, Social Democratic Party.

The Honorable Oswaldo Ribeiro de Oliveira, member of the Chamber of Deputies from Bahia, Social Democratic Party.

The Honorable Antonio Sylvia Cunha Bueno, member of the Chamber of Deputies from Sao Paulo, Social Democratic Party.

[Applause, Senators rising.]

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The Chair would like to express to our distinguished visitors and colleagues from the great Republic of Brazil our honor and pleasure in having them visit us on this occasion. We know that this is their first visit, and that there will be many others to come. We wish to congratulate these honored guests wholeheartedly because we recognize them as great friends, and because we are fully aware of the outstanding friendship which has existed between our two great republics over many, many decades.

Mr. DIRKSEN. Mr. President, I wish to associate myself with the expressions of esteem and affection by the Chair for our colleagues from Brazil, a great country indeed and of amazing potentialities. It is in the interest, of course, not only of good fellowship but also of public relations that they should come here so soon after the visit of our distinguished President to Brazil. I join with the occupant of the chair in extending to these honored visitors the hand of fellowship and friendship from all of us.

LINCOLN BOYS' CHOIR OF LINCOLN, NEBR.

Mr. CURTIS. Mr. President, it is my happy pleasure to announce that we have visiting in Washington, D.C., today one of the outstanding musical organizations of the country, the Lincoln Boys' Choir of Lincoln, Nebr. They are directed by Mr. Hugh T. Rangder. I am sure the many music lovers in the Senate, as well as the other readers of the RECORD, will welcome their visit to Washington, D.C., today.

LEASING OF PORTION OF FORT CROWDER, MO.—CIVIL RIGHTS

Mr. JOHNSON of Texas. Mr. President, has the morning hour been concluded?

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

The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools, R-I, Missouri.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the senior Senator from Illinois [Mr. DOUGLAS] and the Senator from New York [Mr. JAVITS] to strike out section 3 of the amendment proposed by the junior Senator from Illinois [Mr. DIRKSEN].

Mr. JOHNSON of Texas. Mr. President, I am informed that the Senator from Illinois [Mr. DOUGLAS] is en route to the Chamber, and that he expects to speak for about an hour on his amendment. Other Senators may desire to speak on that amendment. If so, I should like to have the aides of the Senate notify interested Senators that the amendment is about to be discussed.

The only other Senator who I understand desires to speak on the amendment is the minority leader, the distinguished junior Senator from Illinois [Mr. DIRKSEN], who will speak very briefly. Then a motion to table will be made. It is hoped that we may reach that point as early as possible; and after the vote has been taken, it is planned to have the Senate go over until Monday, if it has been possible to obtain a vote this afternoon.

How long does the distinguished minority leader expect to speak on the Douglas amendment?

Mr. DIRKSEN. Probably not more than 10 minutes at the most.

Mr. JOHNSON of Texas. Mr. President, if any other Senators desire to speak on the Douglas-Javits amendment, I should like to have them notified.

I shall suggest the absence of a quorum to enable the senior Senator from Illinois to come to the Chamber and offer his amendment. When the distinguished majority leader has had an opportunity to reply, it is hoped that it will be possible to make a motion to table the amendment at an early time this afternoon.

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.

Mr. JOHNSON of Texas. Mr. President, what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the Douglas-Javits amendment to section 3 of the Dirksen substitute.

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DOUGLAS. Mr. President, let me thank the Chair for recognizing me.

In view of the statements which the Senator from Georgia made the other day, in implying that I had improperly taken the floor from him, let me now say that if any Senator from south of the Mason-Dixon line wishes to address the Chair at this time, I shall be very glad, indeed, to sit down and allow such Senator to proceed.

With the permission of the Chair, I should like to pause for a few seconds, to permit any Senator who wishes to claim the floor to do so.

I wonder whether someone will inform the cloakroom attendants that if there is in the cloakroom any Senator who wishes to speak, I shall be glad to yield to him.

Mr. HOLLAND. The Senator does not mind if, in going to the cloakroom, I stay there, does he? [Laughter.]

Mr. DOUGLAS. Not at all.

Mr. President, my good friend, the Senator from Florida, implied when he left, that he might remain in the cloakroom. Since he has had a chance to return and since he has not brought with him any Senator who wishes to claim the floor, I hope I shall not be regarded as being forward if I acknowledge the recognition the Presiding Officer has given to me and proceed to try to develop the argument.

Mr. President, I rise to explain the amendment which the Senator from New York [Mr. JAVITS] and I submitted last night as an amendment in the form or nature of a substitute for section 3 of the so-called Dirksen bill. Our amendment is the pending question.

AMENDMENT EMBODIES COMMISSION'S REGISTRAR PROPOSAL

In brief, the amendment adopts the main outlines of the recommendations of the President's Commission on Civil Rights—that there be administratively appointed Federal registrars who will serve as voting registrars or enrollment officers when it has been proved, through proper processes, that discrimination exists against a particular race or class in a given territorial division. But the amendment goes beyond the Commission's recommendation by applying this procedure to State as well as Federal elections.

Of course, the amendment is designed to deal with the disenfranchisement of Negroes in large sections of the South and the possible disenfranchisement of Mexican-Americans—or "Latinos," as they are sometimes called—in the Southwest, and any other cases of disenfranchisement because of race or color which may exist, wherever they may occur—whether in the North, the South, the East, or the West.

SUMMARY OF REGISTRAR AMENDMENT

First, I should like to explain what the amendment provides; and then I should like to comment on the superiority of this amendment to the so-called referee proposal. Thereafter, I wish to deal with certain of the impalpable objections which are urged against the amendment.

This amendment includes first an initial finding of fact by Congress itself—based upon the report of the Civil Rights Commission—that substantial numbers of citizens of the United States who are qualified to vote under State registration and election laws are being deprived of that right on account of their race or color; and one of the means of disqualification is set forth as being inadequate methods of registration and abuses in the registration process.

The amendment then provides that upon the petition of 50 citizens, from the same county, that they have been discriminated against, the President, either himself or acting through agents, may initiate an investigation to determine whether the complaints are well founded.

Mr. President, I think I should pause here, to say that this requirement is more severe than that imposed by the recommendation of the President's Commission on Civil Rights, which would require the petition of only nine citizens. This amendment requires a petition by 50 citizens from the same county.

The President or his agent is to investigate as to whether this race or class has been discriminated against; and if it is found that it has been discriminated against, the President is then authorized—although not necessarily directed—to appoint a registrar from among the Federal employees or officials who live in or near the county itself. Such registrars must in any case come from the same State.

It should be noted, therefore, that this proposal does not provide for the appointment of outside officials from territories other than the county in question or nearby counties, or from regions of the country other than the region involved.

The President, however, even after such petitions and a finding of discrimination, may hold back on the appointment of such a registrar if the State and local authorities give convincing proof that they intend to change the policies of discrimination which they have followed in the past. So that an opportunity is offered to the localities to purge themselves of the fact of discrimination if the President and his agency have found that such a practice exists.

If, however, such a change in policy is not followed, the President can appoint the administrative registrar, and he is to accept applications from all persons in the disenfranchised class. In practice, to get away from legal terms, this class would, in the south, be Negroes; in some cases in the southwest, Mexican-Americans; and if Puerto Ricans were discriminated against in New York, it would apply then to Puerto Ricans as well.

The registrar is merely to apply the qualifications required under State law. He is not to impose separate qualifications of his own; he is not to make the test easier for the applicants than for others—for the whites, for example; he is not to make the test more severe, but approximately equal.

Again, I want to emphasize that the qualification standards to be applied are those which prevail inside the State.

If the Negro applicant is found by the Federal registrar to be qualified, he is entitled to vote; and he shall be issued a certificate, and his name and others so registered shall be certified to the State officials.

I should emphasize here that the qualification of these voters applies under this amendment to State elections as well as to Federal elections. That is a second difference from the proposal of the President's Commission on Civil Rights, which in its recommendations limited the power of a Federal registrar to certify an applicant merely in Federal elections.

We believe that this proposal is thoroughly constitutional, because, as I have pointed out on the floor of the Senate repeatedly, the 15th amendment, as we all should know, provides that no State shall discriminate in the matter of voting against any person because of race, color, or previous condition of servitude; and the Congress has the power, by appropriate legislation, to enforce that provision.

The 15th amendment does not draw any distinction between State elections and Federal elections, and therefore the way is open, in my judgment, and in the judgment of competent lawyers, for the

protection to be extended to State elections under the 15th amendment.

But it should be noticed that there is in the amendment a basic finding of discrimination by Congress and there will have previously been a finding—in each case of appointing a registrar—by the President, as Chief Executive of the United States, on the basis of an investigation by an agency such as the Civil Rights Commission or a section in the Department of Justice to whom he has delegated such authority, that the 50 petitions have been in the main well founded, and that discrimination, on the basis of race or color, exists.

So that this essential constitutional test is met, though met by other bodies than a judicial body.

Of course, in any such proceeding as this, we should provide for the right of judicial review and the right of appeal from the decisions of the registrar. And so in the later sections of this amendment, notably on pages 5 and 6, there is a provision for appeal from the decisions of the registrar to the district court.

But it is provided that the hearing upon this matter shall be as expeditious as possible and give due consideration to the time of the next election. It is thus clearly implied that the hearing shall not be prolonged, if it is at all possible, beyond the election date, and that if it is prolonged beyond the election date, then the person who has been registered shall have the right to cast his vote, with the understanding, of course, that if a challenge is continued, the ballot, if the local election officials so desire, can be sequestered and handled later.

The ordinary procedure, though it is not precisely spelled out in this amendment, would be for the ballots which are thus challenged to be put inside individual envelopes; and if a given person were later disqualified by the court, that envelope could be destroyed, and it would not be known how the person in question had voted. If the right to vote were affirmed, then the envelope could be opened and the ballots could be mingled and counted, without individual identification.

And if voting machines were used, of course, the very simple procedure would be for the challenged voter to be given a paper ballot which he could use, so that it would be treated in the same manner as when the paper ballots were the sole means of voting.

In other words, although the right of judicial review is retained, and correctly so, the delays of the law cannot be used to prevent the challenged voter from voting and having his vote counted if he is later found qualified.

A final section of the amendment retains the present third section of the so-called Dirksen bill; namely, the preservation of the voting records.

I am very frank to say I think that section could be improved, because while it requires the retention of voting records, I am not certain it requires the original making of a voting record. It thus leaves an apparent loophole for States that may want to evade this requirement.

Mr. President, this may serve as a brief explanation of what the registrar provision actually encompasses.

WHY THE REGISTRAR PROPOSAL IS SUPERIOR TO THAT OF REFEREES

I think we should ask ourselves why this is appreciably better than the referee proposal of the Attorney General and the administration, which apparently is favored by both the leader of the Democratic Party and the leader of the Republican Party in this body.

We should bear in mind that what we are dealing with is a matter of systematic disfranchisement. There are probably some three and a half million Negroes in the South who would ordinarily be able to meet the specific tests of qualifications, who at present are barred in one form or another from registration and voting. While it is probably true that indifference and inertia, which are characteristics of all people, and perhaps especially so of people who have felt there was not much use in trying, anyway, would prevent a considerable number from trying to utilize the election machinery even under the most favorable circumstances, still I think it is conservative to say at least between 1 and 2 million people could be enfranchised if we could devise a proper system of registration.

Mr. President, I think the choice we have, if we agree that people do have the right to vote, is as to whether we shall have an effective system or an ineffective system. That is really the choice.

While I am discussing this subject I will say I do not intend to refight the old battle as to whether we should have a part III guaranteeing civil rights under the 14th amendment. I think this bill should have such a provision, but we proposed that, and although we received a sizable vote in support of the proposition it was defeated. I do not intend to raise that question any further, because the vote was quite decisive. There were our friends from the South voting solidly against it. The administration forces, with the exception of 10, voted solidly against it. The group known more or less as the majority leader's group voted against it. These three forces were sufficient to defeat the proposal. I think they would defeat any other proposal of a similar nature which might be advanced.

I think the responsibility for the defeat of the protection of civil rights under the 14th amendment is now clearly known—or at least it would be clearly known if the press were to do its job—and I shall not refight old battles.

We now have before us a voting rights provision, and the administration says it is anxious to have an effective voting rights provision. The minority leader says he is anxious to have an effective voting rights provision. The majority leader says he wants an effective voting rights provision. We Democratic liberals on this side of the aisle certainly want an effective voting rights provision. We would all seem to be in unanimity on this point. I have sometimes felt, from the overtures of our good friends from the South, they would not heatedly oppose a voting rights provision, provided it were ineffective.

Mr. President, I think the question is, What is the most effective measure we can get? The two main alternatives were mentioned by the Senator from New York last night in his able summary. First, there is the registrar method, which I have previously described. Second, there is the referee method of the Attorney General, now supported by the administration and by the majority leader of the Democratic Party in this body—at least, I imagine it is supported by the majority leader of the Democratic Party in this body.

On Tuesday I tried to indicate at some length and in some detail the vital weaknesses which are necessarily contained within the referee provision.

Yesterday in the colloquy with the Senator from Pennsylvania [Mr. CLARK] this was developed again by means of a series of questions, as was shown from pages 5880 to 5888 of the RECORD.

I hope that my colleagues who are too busy to come to the floor and listen to the discussion may at least have sufficient leisure over the weekend to read these pages in the CONGRESSIONAL RECORD, because I think they indicate pretty clearly what the vital weaknesses are in the referee plan.

In general, the judicial proceeding the Attorney General and the majority leader and minority leader are advocating involves great delays—great delays—which will make it extremely difficult to have cases decided before the election takes place, delays which will tire out and weary a very large proportion of the applicants themselves.

Second, the method permits a great deal of discouragement and intimidation to operate against the Negroes who are trying to establish their right to vote, with a minimum of judicial protection being accorded to them.

The effect of all this, Mr. President, would inevitably be that only a small and minute fraction of the some millions who are now disfranchised would, in my judgment, be enabled to be registered under the plan. Therefore, it is an ineffective proposal.

While the steps involved in the referee plan have been outlined in the previous discussion, I think it is appropriate to remember that Dr. Samuel Johnson once said, "Men need not so much to be informed as to be reminded."

I hope, therefore, this assemblage of Senators will excuse me if I inform them once again as to what are the specific features of delay and discouragement which the referee system necessarily entails.

INEVITABLE DELAY UNDER REFEREE PLAN

In the first place, there must be an initial judicial finding that a pattern or a practice of discrimination actually exists. This would involve not merely complaints from individuals, but it would also require a judicial process itself. This would, of course, permit full legal opportunities for those who do not wish Negroes to be registered and vote, or who do not wish Mexican Americans to

be registered and vote, to be present, to contest the ruling in every way, and to resort to such dilatory or evasive tactics as they might choose.

The applicant or applicants for the court injunction and finding would initially be required to prove that a pattern or practice of discrimination actually existed. Discrimination inevitably involves a comparison. Are Negroes, for example, more discriminated against than white applicants? They would have to establish a benchmark to show how white applicants were treated before they could establish that Negro applicants were treated more severely.

They would have to prove that there was a disparity between the requirements imposed upon Negroes as a class and those imposed upon whites as a class, and that this disparity was so great and so adverse to the Negroes that discrimination actually existed.

This may seem very easy to do. But if we have white witnesses—both registrars and applicants for registration—who do not wish to testify, who avoid testimony; and if we have such tactics as have been used in Tuskegee, for example, a judicial determination is not at all easy to establish; quite the contrary, it is very difficult.

In many cases there are no records of registrants for application who have been rejected. The records of the applicants who were accepted frequently do not indicate what procedure was followed or what literacy test was administered. The few records that are available can often be obtained only after a critical delay, occasioned by legal action to obtain the records. I cite the case of United States against Wallace. Generally, white persons in the South are in such cases hostile witnesses, unwilling to discuss their experiences with representatives from the Justice Department. They are amenable only to judicially applied coercion, and often evasive in their stories.

So this initial determination would not only be time consuming, but involve a very difficult burden of proof. But even once it has been established, the Negro applicant is not permitted to go to the Federal registrar immediately. Even though the pattern of discrimination has been found, before the Negro applicant can go to the judicial referee, he is first required to go to the same local groups of registrars who, according to the finding, have previously discriminated against him.

I emphasize that this is a feature of the administration's plan which the administration stubbornly refuses to change. Time after time they have been asked to waive this requirement. Each time they have refused; and in the final draft of the McCulloch bill, which, it is understood, will probably be passed by the House, through the cooperation of the Democratic majority, led by the Speaker, and the Republican minority, led by Mr. HALLECK, this point is made absolutely clear.

Whatever doubt or ambiguity existed on this point was cleared away last night when the Senator from Colorado [Mr. CARROLL] read the latest draft of the McCulloch proposal, which specifically requires that prior application must be made to the local registrars. I read from page 5882 of the CONGRESSIONAL RECORD for yesterday:

> Mr. CARROLL. I wish to read into the RECORD, so there will be no doubt about it, from the Celler bill, which probably is under consideration at this very moment by the House of Representatives. I read now from page 5659 of the CONGRESSIONAL RECORD for March 15; and I believe this will clarify their position—not the position of the Senator from Pennsylvania:
>
> "The court may appoint one or more persons who are qualified voters in the judicial district, to be known as voting referees, to serve for such period as the court shall determine, to receive such applications and to take evidence and report to the court findings as to whether or not at any election or elections (1) any such applicant is qualified under State law to vote."
>
> And here is the clincher: "and (2) he has since the finding by the court heretofore specified been (a) deprived of or denied under color of law the opportunity to register to vote or otherwise to qualify to vote, or (b) found not qualified to vote by any person acting under color of law."

I invite attention to the insertion of the words "since the finding by the court heretofore specified." Those words were not in the previous draft of the McCulloch amendment. I thought they were implied. It was sometimes said, "Oh, no; they are not in it." But to make the situation perfectly clear, they were inserted in the draft which is now before the House, and which in all probability will be adopted by the House.

In other words, the thumbscrew has been very definitely turned on this clause, to make it explicitly clear that, even after the judicial finding of discrimination has been made, the individual applicant must go back to the same registrars who discriminated against him and seek once again to be registered. This is a crucial and, to my mind, vital defect.

REQUIREMENT OF FURTHER APPLICATION TO STATE REGISTRAR IS MAJOR DEFECT IN REFEREE PROPOSAL

I cannot emphasize too strongly the significance of this requirement. Here Negroes have been discriminated against by local registrars, according to a judicial finding. They have met with hostility and, in many cases, pressure, and then they are asked to go back to the very same people who have humiliated them, and subject themselves to the same process the second time, before they are entitled to go ahead and seek to surmount the rest of the hurdles in the long obstacle course that the referee plan would set up.

A person would have to be an exceptional hero to do that, and, in addition, he would have to be well supplied with the world's goods, to withstand the pressures which would inevitably be put upon him. Since by definition the number of heroes in the world is limited, and since Negroes are socially and economically at the bottom of the totem pole in the South, it means in practice that only a small fraction of Negroes could be expected to go back and try to reregister.

Mr. PROXMIRE. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I am glad to yield for a question.

Mr. PROXMIRE. I ask the Senator if it is not true that the section which he has read from page 5882 of the CONGRESSIONAL RECORD of yesterday is the crux of any right-to-vote legislation which is going to be effective. That section reads:

> (2) He has since the finding by the court heretofore specified been (a) deprived of or denied under color of law the opportunity to register to vote or otherwise to qualify to vote, or (b) found not qualified to vote by any person acting under color of law.

Mr. DOUGLAS. I think it is the most vital defect, although it is not the only defect. I think the referee plan involving a lengthy, judicial process is not only inadequate in itself, but I think it is also the worst feature of it.

Mr. PROXMIRE. Is it not true that in order to understand what is at issue and is one of the most important issues of the right-to-vote controversy, particularly by anyone who is interested in discerning the differences between those who really believe in accomplishing registration as expeditiously and justly and fairly as possible, and those who do not believe in expeditious action, it must be understood that this is the crux of the whole issue?

Mr. DOUGLAS. I agree. I think that the impending vote on this amendment is going to be one of the most important votes on this bill.

Mr. PROXMIRE. Can the Senator see any reason why, in terms of justice and fairness and recognition of the rights of all parties, there is anything wrong with a proposal which provides that once there has been a finding that there is a pattern of discrimination against a class, they should not be enrolled or registered by a referee appointed by the court, provided they are qualified voters and provided they fall into this class?

Mr. DOUGLAS. I do not. That is why many of us—and I believe this includes the Senator from Wisconsin—favor the administrative registrar system rather than the judicial referee system.

Mr. PROXMIRE. Would the Senator from Illinois indicate at this point why this is critical to the registrar system rather than the referee system, and why this could not apply to the referee system?

Mr. DOUGLAS. Because under the registrar system, after a finding has been made by the President that there is discrimination and a Federal registrar is appointed, the Negro applicant can go directly to the Federal registrar and then register. He is not compelled to go back to the local registrar.

Mr. PROXMIRE. In order to get the most comprehensive understanding possible of this point, would it be possible to set up the law in such a way that a Federal judge could determine that this pattern existed?

Mr. DOUGLAS. I suppose so.

Mr. PROXMIRE. And thus permit this disfranchised class to be enrolled by the referees appointed by the Federal court.

Mr. DOUGLAS. I suppose that could be done. I believe the Senator from Pennsylvania [Mr. CLARK] has an amendment which does that. There are various combinations and permutations of the referee-registrar provision which can be worked out.

Mr. PROXMIRE. Is it not true that this is the crucial point, because if the law is passed in such a way that qualified persons who are discriminated against, in a class, are permitted to register with a referee, or with a registrar, who has been appointed, that then the pattern cannot be continued by those who previously, on the basis of the finding, have been successfully following the policy of excluding persons who fall in that class?

Mr. DOUGLAS. I believe it is possible to devise a referee plan which would take out the requirement of going to the State or local registrar. But the significant thing is that the administration has always refused to grant this right, and has insisted that a prior application is required, and in fact, it has tightened the requirement.

The Democratic leadership of the House and, apparently, the Democratic leadership of the Senate have decided to make common cause with the administration on this matter. So that we are faced, in a sense, with a united front for an ineffective bill.

Mr. PROXMIRE. In the 57 counties in which, I understand, the Civil Rights Commission has reported there has been not simply a pattern of discrimination against Negroes registering and voting but also an absence of actual legal registration. Under the proposal that is made in this particular section to which the Senator from Illinois has called our attention, is it not true that unless this proposal is included, which permits the enrollment officer, or registrar, to register the disfranchised class, any law would likely be, if not a sham, exceedingly ineffectual and ineffective, and that exactly the same kind of discrimination that has been practiced in the past could be practiced in the future?

Mr. DOUGLAS. The Senator from Wisconsin is completely correct.

Mr. PROXMIRE. Does it not mean that what the disfranchised Negro would have to do would be to prove that as of a certain day at a certain time he went to the proper registering authority in his local district, and that he went to the right window, to the right person, that he asked for the right person; and are there not all kinds of details which could be asserted and under which he could be prevented from proving that he had been actually and legally denied?

Mr. DOUGLAS. The Senator from Wisconsin is completely correct.

Now he has also touched on still another difficulty which is thrown into the path of the disfranchised Negro or possibly the Mexican-American, namely, that he must not only go to the local or State registration officers and expose himself to pressure, delay, humiliation, and so forth; but if he is turned down, he must then go to the referee and prove not merely that he is qualified but that he has again been discriminated against.

In other words, although the court may have found initially that there is a practice or a pattern of discrimination, the individual must prove that he, John Jones, has been discriminated against, and he must therefore show that more severe standards have been applied to him than have been applied to the white applicants at the same time and place.

As I said in discussing the initial finding, in order to show discrimination, an applicant such as our John Jones must not only show that he has had a rough time, but that he has had a much rougher time than the white applicants. Therefore, it will be necessary to have a benchmark of the treatment of white applicants against which can be measured the treatment of Negroes, before it can be said that John Jones has been discriminated against.

In view of the hostility of white witnesses, and in view of the delays which can be practiced, the treatment of Negroes as compared with the treatment of whites will be very hard to establish; in fact, it will have to be proved twice: initially, as a general practice or pattern; secondly, in individual instances. Therefore, in practice, I believe such a procedure would be almost completely ineffective.

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

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. Is it not true that in every individual case it will have to be proved again, again, and again? There will be a pattern of going to court and establishing a practice in the case of the first applicant, the second applicant, the third applicant, and so on, hundreds and hundreds of times; and it would still be necessary to go through an expensive legal process, which could be so easily obstructed every single time.

Mr. DOUGLAS. I think that is substantially true, as I have said on many occasions, although it is possible that these cases might be grouped somewhat, together. It is possible, but it is not at all certain.

I thank the Senator from Wisconsin. His questions have been most helpful.

In other words, this process will have to be gone through twice: First, to establish the general practice; second, to establish individual discrimination.

FURTHER DELAYS CAN FOLLOW REFEREE'S REPORT

Then, of course, there are always the appeals which can be taken from the decisions of the voting referees. In the first case, there will be appeals to the district judge. The referee really serves as the judge's special master in chancery. While the district judge, in some drafts of the McCulloch bill would be given the authority to accept the decisions on fact of the referee as correct unless contradicted under oath or by a public record, nevertheless, arguments can always be made on the law. The McCulloch draft specifically provides that memorandums may be submitted on the law. If memorandums can be submitted, then they certainly can be argued about. This will be time consuming.

So the election may well have passed completely before the final decision of the district judge has been handed down. Next election, if there is a new registration period, the Negro will have to go through the whole process again.

Then there is always the possibility of appeals to the higher courts—to the circuit courts of appeals, and possibly ultimately to the Supreme Court of the United States. I know that in some of the McCulloch drafts, steps have been taken to curtail these delays in the later phases of this process; but they will still largely exist.

I think that any sensible person who will take the trouble—and it is not difficult to do—to compare the two methods, will conclude that the President's Commission on Civil Rights was correct in wanting an administrative process; and that the Attorney General has been wrong in insisting upon the judicial process. It is a source of deep regret to me that the congressional leaders of my party have apparently chosen to agree with the Attorney General rather than with the President's Commission on Civil Rights.

COURTS WOULD BE SWAMPED

I think a further point should be made: Suppose the courts under the referee plan treat not the minute number of voting rights cases which I believe they will treat, but that they treat a significant number. If that is the case, then the courts will be swamped with work, because the judicial process, with its insistence upon full argument and full representation—and it is one of the glories of Anglo-Saxon jurisprudence that it does—can necessarily handle only a limited number of cases and indeed the dockets of the Federal courts are already clogged with an excessive volume of work.

So in all probability, it can be said that very few persons will be added to the voting lists if this measure becomes law—very few.

But if we should chance to be wrong, and a considerable number were registered, the courts would be so swamped with work that they could not handle it. So whatever happens—and I believe it will be the first method which will happen—the judicial method which the Attorney General has chosen is a blind alley. If Senators want to find the most ineffective method for dealing with this problem, let them choose the route of the Attorney General; let them choose the route which the leadership on my side of the aisle, in both the Senate and the House, has adopted.

Registering to vote is essentially a simple administrative procedure. It is not a judicial process and we should not try to make it such. I cannot emphasize that fact too strongly.

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

Mr. DOUGLAS. I am glad to yield.

Mr. PROXMIRE. One of the outstanding experts on constitutional law in the State of Wisconsin—and I believe in the Nation itself—is Prof. David Fellman, of the University of Wisconsin. Professor Fellman has written to me exactly on this point. He feels that the

price the Attorney General would have Congress pay for achieving a system in which more Negroes could vote may, in his judgment—and he has gone very deeply into the question of civil rights—be too high. He thinks this is an exceedingly bad precedent.

He has said in his letter that if the courts should ever become administrative agencies in this sense, they would become extremely overburdened, exactly as the Senator from Illinois has said they would; that many persons who understand our constitutional system and our judicial system would oppose this method although they fervently believe we should do all in our power to achieve the opportunity for Negroes to vote.

The difficulty in this respect is that two very deep-set values which persons have are set against one another. They believe the 15th amendment to the Constitution should be thoroughly enforced. They also, however, believe very deeply in an orderly judicial system, a judicial system which functions as such.

For this reason, I think the argument which the Senator from Illinois is making now is most pertinent and important. I earnestly hope that the amendment he proposes, providing for the Federal registrar system in the administrative branch of the Government, providing administration, as it should, will be adopted.

Mr. DOUGLAS. I thank the Senator from Wisconsin.

THE OBJECTIONS OF THE POWER ELITE AMONG THE OPEN PERSUADERS

I well know what those of us who are advocating a Federal registrar system are facing. It is not the logic of the situation. If logic and workability were the tests, I believe there is no doubt that the registrar system would be chosen in preference to the referee system.

But we are facing the unseen opinion makers: the columnists, the newspapermen, the shapers of public opinion—the group otherwise, and somewhat irreverently, known as pundits, who tell Congress and the country what they should think and what they should do.

I find that there are three very facile charges which are made against those of us who are working for effective registrar proposals, and these aside from the controlling fact of brute power are the obstacles which we really have to face. The first charge is that we are extremists. That is an unlovely characterization in these times.

The second is that we are trying to go too fast.

The third is that since this measure is opposed by the great power blocs in the Congress, in all probability it will be defeated, and therefore it should not be opposed.

Those are the real arguments we have to answer. It is very difficult to answer them, because they are not put in terms of logic. Instead, they are put in terms of social acceptability.

Mr. PROXMIRE. Mr. President, at this point will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. HART in the chair). Does the Senator from Illinois yield to the Senator from Wisconsin?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. Is it not true that at the time when the Attorney General made his first plea for the judicial referee system, it was a most convincing performance—at least in the eyes of editorial writers throughout the country—because he used what he called "Jim Crow" ballots, and at the time he argued that the registrar proposal would exclude persons from voting in State and National elections, and that the ballots in those States—as well as in my own State, for example—mixed the State and the Federal elections, and that on that basis the registrar proposal will be unworkable and impracticable?

It seems to me that much of the acceptance of the argument of the Attorney General was based on this fact. I recall an editorial in the New York Times which pointed out that the Attorney General had brought in ballot after ballot, from State after State, and had pointed out that the registrar system simply would not work—that when people went to vote, they would be denied the ballot.

Is it not true that that argument not only has been met by those of us who advocate the registrar proposal, but that, on the other hand, we find many of our good friends in the Republican Party urging that the referee proposal apply only to national elections?

Mr. DOUGLAS. I think that is true. Of course, the Senator from Wisconsin implicitly calls attention to the fact that the pending amendment, which provides for administrative registrars, applies to both State elections and Federal elections, and, therefore, it does not involve in the slightest degree the problem of "Jim Crow" ballots. The Senator is completely correct in stating that that reason for accepting the proposal of the Attorney General no longer exists, and that the question now is simply as to the workability of the two plans both covering State as well as Federal elections.

In other words, if we wish to allow qualified Negroes to be enfranchised, the question of "Jim Crow" ballots is not involved; the only question is as to the relative workability of the two plans.

On that basis, I submit that the Federal registrar plan is infinitely superior to the referee plan. In fact, I will say that if one sought to devise the most ineffective system for dealing with this problem, if one tried to find a method which would enfranchise the smallest number, I do not believe it would be possible to hit on a device more effective in that respect than that which the Attorney General, the Republican leadership of the House of Representatives, the Republican leadership of the Senate, and the Democratic leadership of the Senate are now supporting.

Mr. President, as I have said, what we are contending against is not logic; we are confronted with the impalpable developments in public opinion which have been created by the charges that we are extremists, that we are trying to move too fast, and that we are not organization men.

We remember that when Socrates came to trial he said that those who really were accusing him were not the ones who actually were making charges against him, such an Anytus, but were the popular opinions and the public sentiment in Athens, where certain ideas about him had already been formed.

Although we certainly do not wish to compare ourselves to Socrates, nevertheless, it is true that the impalpable charges against us come from the framers of public opinion, who say we are extremists, that we are going too fast, and that since these measures cannot pass they should not be proposed.

Mr. President, may there be order in the Chamber?

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The Senator from Illinois will suspend.

All other Senators will take their seats. The Senator from Illinois is making a very important speech, and he is entitled to be heard by the membership.

Now the Senator from Illinois may proceed.

Mr. DOUGLAS. Mr. President, is there now order in the Chamber?

The PRESIDING OFFICER. All Senators except the Senator from Illinois, who has been recognized, will take their seats. All conversations by attachés of the Senate will cease. The only person who will be heard will be the Senator from Illinois.

The Senator from Illinois may now proceed.

Mr. DOUGLAS. I thank the Chair.

REGISTRAR PROPOSAL IS NOT EXTREME

Mr. President, of course, no one likes to be called an extremist. We do not think we are extremists. In recent days we have been somewhat pained by being compared to the White Citizens' Councils in the South. It has been said that we are as much extremists, on the one hand, as Governor Faubus and the White Citizens' Councils and certain other gentlemen are, on the other side.

I believe it appropriate to point out that we want to carry out the American tradition of making the 15th amendment actually applicable, and that we seek to do so under the reign of law, whereas what many groups in the White Citizens' Councils want to do is to reverse the American tradition, throw into the wastepaper basket the 15th amendment to the Constitution, and do so with the threat or the actuality of violence.

Yet, Mr. President, I wish to point out again that, in essence, our proposal originated in a group of five men, two of them Southerners: Mr. Robert G. Storey, formerly president of the American Bar Association; and Mr. Doyle E. Carlton, formerly Governor of Florida—and three very eminent Northerners, all of them conservatives. Two of the Northerners are conservative Republicans: Mr. John A. Hannah, and Mr. George M. Johnson. The fifth member, the very distinguished President of Notre Dame University, is Rev. Theodore M. Hesburgh, one of the noblest men of our times.

These gentlemen are not extremists, Mr. President. They are patriotic Americans. It is extraordinary that the

proposal which they advanced is now being treated as an extreme proposal and is being condemned by the pundits of the Metropolitan Club.

Mr. President, I should like to say that America has grown great, not merely because of its growth in population or its growth in material resources, but because America brought new principles of human equality into the world, and gave them tangible expression, and because in large part our political history has been one of the progressive application of those ideals.

The Declaration of Independence is not merely a document to be read on the Fourth of July, and then to be forgotten for the rest of the year.

Certainly Thomas Jefferson meant it when he wrote:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.

Jefferson said, "all men." He did not say "all white men." He did not say "all rich men." He did not say "all landowners." No, Mr. President, he said, "all men"; and he meant precisely that—Negroes as well as whites, poor as well as rich, artisans and farm laborers as well as landowners. It is true slavery existed at that time. There were many features in American life in which the practice did not conform to the principle. But the history of America has been a progressive movement toward those principles.

I dislike to refer to the Civil War, which broke out 99 years ago, and in which there was great heroism and devotion on both sides, but I think it is worth remembering that a very large proportion of those who wore the uniform of blue, who were wounded and who died, did so not merely to establish a continuing political union, but also to abolish chattel slavery and to bring about a greater degree of equality for the Negro race.

Yes, and a considerable percentage of those in the South had the same desire, because one of the most extraordinary statements by a Supreme Court judge was handed down by a great southerner, John Marshall Harlan. This was in 1896, in the famous case of Plessy against Ferguson, where Harlan was the one dissenting judge. And this judge, who had been a slave owner himself, dissented from the opinion and said that the Constitution was color blind and drew no distinction on the basis of race or class.

To me it is a source of satisfaction that the grandson of the great judge who bears his name now sits upon the Supreme Court, and thus the great name of John Marshall Harlan is perpetuated.

I may say that the son of John Marshall Harlan, and the father of the present Justice Harlan, John Maynard Harlan, was a personal friend of mine. We were joined together in Chicago in fighting Sam Insull in the late 1920's. At times I have thought that battle was far more severe and dangerous than any formal battle where physical bullets fly.

As a result of the Civil War, we not only passed the 13th amendment, freeing the Negroes, but we passed the 14th and 15th amendments to the Constitution. The 14th amendment, passed in 1867, which declared that all persons born within the United States or naturalized therein were citizens not only of the State where they reside, but of the United States as well, citizens on equal terms. There were to be no first class citizens, no second class citizens, but all citizens on an equality. The amendment included the provision that no State shall deprive any person of the equal protection of the laws.

Some of us think the Supreme Court was right in its 1954 decision in the Topeka case, when it held that segregation in the schools on the basis of race was a violation of the equal protection of the laws.

REGISTRAR PROPOSAL CARRIES OUT PROMISE OF 15TH AMENDMENT

I am not going to fight that battle now. It is not involved. I appeal rather to the 15th amendment, which provides that no State shall deprive any person of the right to vote because of his race, color, or previous condition of servitude, and that Congress has the power, by appropriate legislation, to enforce that provision.

Mr. President, those provisions are parts of the Constitution. I have heard again and again the 10th amendment to the Constitution quoted, the last amendment of the original Bill of Rights, which provided that any powers not specifically granted to the Federal Government inhered in the States and the people; and, therefore, the conclusion is sometimes drawn that since the original text of the Constitution did not provide for the equal protection of the laws, therefore the 15th amendment should be disregarded, and hence the Supreme Court has no power to act in such matters.

Mr. President, the Bill of Rights was ratified in 1790 or shortly thereafter. The 15th amendment of the Constitution was ratified in 1870. The 15th amendment, therefore, supersedes the 10th amendment to the Constitution.

Now the question is whether we mean to give the Negroes and Mexican-Americans the effective right to vote. Do we really mean it, or do we intend to give only lip service to it but apply it in such a way that only a few can qualify? Are we trying to get a system in which, in practice, the 15th amendment will be denied, even though we may give verbal adherence to it? Are we trying to put into effect some kind of a face-saving device, possibly intended to fool the other peoples of the world, or do we really mean it? That is really the question.

Mr. President, I have great respect for the frank and open opponents of this measure who state, very frankly, they do not believe in allowing the Negroes to vote; they fear that there would be real difficulties created by this proposal. They are very frank and open in their opposition. I respect these men. I think they are mistaken, but I respect them. Indeed, I have more respect for them than for those who give verbal adherence to the principle, but who deny it in practice.

COLORED PEOPLES OF WORLD WATCH OUR ACTIONS

Mr. President, there are 17 million Negroes in this country, and about 3 million Mexican-Americans. To take the population of the world as a whole, two-thirds of it would be described by those who are sensitive to color as colored—the yellow, the brown, the black peoples of the world. These are people who, under colonial rule, have been discriminated against—not so much economically, though that has been true—not so much politically, although that has also been true—but discriminated against socially by the white colonial officers and traders who have relegated them to an inferior position.

I can remember that a sign used to be put up in the park in the foreign section of Hong Kong, which friends of mine told me they had seen, reading, "Chinese and dogs not permitted here." This was a frank statement of the practice which tended to be carried out in the East under British, Dutch, and German colonialism, and partially under French colonialism.

We were probably not as guilty as any of those people, but we drew the color line, too.

This fact has aroused resentment in the world of color. And what the world of color, which probably comprises two-thirds of the population of the world, is asking us is, "How can you reconcile your practice with your principles?" and those peoples are demanding that we put our practice into conformity with our principles.

Having a certain sense of falling behind in the economic world, not being as powerful as we, they naturally have a tendency, as those who are militarily weak do, of trying to find flaws in the armor of strength and to point out all the weaknesses we have. I think I can say, with complete truthfulness, the greatest difficulty we have in winning the wholehearted cooperation of the uncommitted peoples of the world is the treatment which we accord to the Negroes in our country.

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

Mr. DOUGLAS. I am glad to yield.

Mr. PROXMIRE. Mr. President, I asked the Senator to yield to ask him this question: Is it not true that the Commission on Civil Rights, appointed by the President, consisted of six members.

Mr. DOUGLAS. There were six members, five of whom made this recommendation.

Mr. PROXMIRE. Five of the six made this recommendation. Is it not true that of the six members one was Robert Gerald Storey?

Mr. DOUGLAS. That is true. He is a former dean of the law school at Southern Methodist University, a former president of the American Bar Association. He was southern born and bred. He is one of the leading lawyers of the United States.

Mr. PROXMIRE. With the Senator's indulgence, I ask unanimous consent that I may read in the RECORD at this point, because I think it is extremely important, a brief biography of Mr. Storey. This shows not only the fact that this gentleman is a southerner and understands the southern traditions but also the very high quality of this man.

Mr. DOUGLAS. I shall be glad to yield for that purpose, Mr. President, if I am granted unanimous consent to do so without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and the Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, before I read this I should like to emphasize that, as the Senator from Illinois has pointed out, this is a suggestion or a proposal which originated with the Civil Rights Commission. Those of us who are trying to advance the proposal are being labeled as extremists or as people who are impetuous or as people who are not sufficiently grounded in the background and theory of the social structure of the South.

The first man on the Civil Rights Commission whose biography I shall briefly mention is Robert Gerald Storey.

Education: University of Texas and Southern Methodist University, B.A.; honorary degrees, LL.D., Texas Christian University, 1947; Laval University, 1953; Drake University, 1954.

Professional: Partner, Storey, Armstrong & Steger, Dallas, Tex.; dean, Southern Methodist University Law School; president, Southwestern Legal Foundation.

Public service: Assistant attorney general of Texas for criminal appeals, 1921–23; member, national executive committee, American Legion, 1921–22; regent, University of Texas, 1924–30; governor, Kiwanis Club, Texas-Oklahoma district, 1931; president of Park Board, city of Dallas, 1938–41; executive trial counsel for United States, Nuremberg, trial of major Axis war criminals, 1945–46; member, Commission To Reorganize Executive Executive Branch of U.S. Government (Hoover Commission), 1953–55; adviser to Korean Government on judicial system and legal profession, 1954; State Department representative in the Far East and Middle East to assist legal profession of friendly free nations—summer 1954–55; member, Board of Foreign Scholarships (International Educational Exchange), 1956.

Bar association activities: President, Dallas Bar Association, 1934; president, State Bar of Texas, 1948–49; president, American Bar Association, 1952–53; president, Inter-American Bar Association, 1954–56; member of council, International Bar Association, 1952.

Business: Director, Southwestern Bell Telephone Co.; chairman of board, Lakewood State Bank; director and general counsel, United Fidelity and Universal Life Insurance Companies, and Sabine Royalty Corp.

Mr. President, I also wish to mention briefly the biography of John S. Battle, Commissioner.

Mr. DOUGLAS. Mr. President, I think I should interject to point out that while Governor Battle found there was discrimination in the South, he did not recommend the creation of Federal registrars. He was the one member on the Commission who did not.

Mr. PROXMIRE. Yes. I desire to give the biography, because John S. Battle was a member of the Civil Rights Commission. It was a well-balanced Commission, on which there was no overbalance on the side of the North. There were three southern members and three northern members.

I am sure all of the members were influenced by the quality of Governor Battle, which is extremely high, and by his eloquence and persuasiveness. Governor Battle served on the Commission. I am sure his viewpoint was thoroughly expressed on the Commission and fully understood by the other outstanding members of the Commission.

Mr. ERVIN. Mr. President, will the Senator yield so that I can keep the RECORD straight as to this matter?

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Does the Senator yield; and, if so, to whom?

Mr. DOUGLAS. I shall be happy to yield, with the understanding that I shall not lose my right to the floor.

Mr. ERVIN. I simply want to bring attention to the fact, to keep the RECORD straight, that Governor Battle said he thought there ought to be no legislation passed by Congress interfering with the rights of States in voting matters. Furthermore, he said, in effect, that he did not believe there was any new legislation needed in this field.

Mr. DOUGLAS. Yes. We made that clear earlier in the statement.

Mr. PROXMIRE. Mr. President, the reason why I mentioned Governor Battle is I think Governor Battle possesses very high qualities. It is extremely important to know that this man, who does take the position the distinguished Senator from North Carolina properly emphasizes and refers to, was on the Commission. His viewpoint was thoroughly heard. He has a background which would give him a peculiar and particular understanding of the situation in the South. That is the reason why I desire to go into a little bit of the details as to his record. This will require only a minute or two.

JOHN S. BATTLE, COMMISSIONER

Born: New Bern, N.C., July 11, 1890.

Home and office: Charlottesville, Va.

Married.

Education: Wake Forest College; University of Virginia, LL.B.

Honorary degrees: LL.D., Hampden-Sydney College, University of Richmond, Wake Forest College, William and Mary College.

Member, House of Delegates, Virginia General Assembly, 1929.

State senator, 1926–49.

Governor of the State of Virginia, 1950–54.

Member, law firm of Perkins, Battle & Minor.

The one other member of the Commission whose background I desire to mention is Commissioner Doyle Elam Carlton.

Born: Wauchula, Fla., July 6, 1887.

Married; three children.

Education: University of Chicago, A.B., 1910; Columbia University, LL.B., 1912; admitted to Florida Bar, 1912.

Member, Florida State Senate, 1917-19.

Governor of the State of Florida, 1929–33.

Practicing attorney, Tampa, Fla., 1933 to present.

He is a man who has lived in the State of Florida and obviously has had extensive experience, as Governor, in regard to the problems of a Southern State.

Mr. DOUGLAS. And Commissioner Carlton also recommended the establishment of Federal registrars.

Mr. PROXMIRE. Along with Mr. Storey.

I simply make this point to emphasize what the distinguished Senator from Illinois has said. This is not a proposal by extremists or a group of northern Senators. This is a proposal which originated with a group which included some of the most eminent legal scholars and eminent lawyers of the Nation, men who were selected by the President of the United States to serve on the Civil Rights Commission. These men have a fine background, which would give to them the kind of understanding of southern problems very few people in the country have.

Mr. DOUGLAS. I thank the Senator.

Mr. President, I think the statement of the Senator from Wisconsin is valuable in many respects, one of which is that it indicates the source of this proposal is in no sense derived from extremists.

We sometimes have a picture of an extremist as a thin and emaciated gentleman, not too well shaven, carrying an umbrella, his eyes agleam with hate, looking like the caricature of the prohibitionist which various newspapers used in the 1920's.

I admit that I am not very well dressed myself, but I had never thought of myself in that capacity as an extremist. I am quite certain my eyes do not reflect any hatred, because my heart does not feel any.

I have said again and again that this is largely a matter of history and geography; that because of climate and because of accident the South had the terrible institution of slavery fastened upon it, whereas the North, because of a cold climate and more rocky soil, was relatively protected from slavery. We of the North are not innately superior in moral qualities to those of the South. We simply were extremely fortunate in not having this institution historically fastened upon us. Slavery is evil, both for the master and for the slave. Its consequences endure after the institution itself has passed away.

I do not want to seem patronizing, but let me say that I not only have no hatred, but I have a real feeling of understanding, I believe, of the difficulties.

The South consists, however, not merely of the whites in the South as is sometimes assumed, but also of the 12 million Negroes in the South. They are human beings, too, and they should be considered, both for their own sake and for the sake of the international position of this country.

COMMON HUMANITY, DESPITE DIFFERENCES IN RACE

There are certain very obvious matters—at least obvious to me—which I think need to be stated. I know that there was a school of purported anthropology which existed in the South prior to the Civil War, which denied that Negroes were men and which asserted that the Negro race and the white race had a different origin, that Negroes were, in essence, animals, and that it was no

more wrong to enslave Negroes than it was to own and work donkeys, mules, and horses.

I think that argument or claim of different origins was, even at the moment, demonstrably false from a biological standpoint, which I shall not go into here, except to say that by the *ordinary tests*, it is obvious that the two different races are not vitally dissimilar groups.

I hope I am not old fashioned when I say that I think Negroes are men, men substantially of the same nature as ourselves. Because of climate and the rays of the sun, those with dark visages had greater survival value in Africa than those of white skin. So, variants in that degree of pigmentation had survival value, and those with darker skin perpetuated themselves, whereas those with lighter skin had survival value in the regions toward the north, where the sun's rays were less intense.

So I start with the assumption, which I hope is not old fashioned and does not mark me as an extremist, that the Negro is a man. If he is a man, and if we believe in the divine origin of man, if we believe that there is a divine spark within man, as I believe, then it follows that there is something of the divine in the Negro, as well as in the white man.

If we reject that thesis, if we say that the Negro is not a man, if we say that there is not something of the divine in him, I suppose his disfranchisement can be justified. But if he has something of the divine in him, he should not be humiliated. He should not be discriminated against. He should be treated as a person who has at least the capacity for immortal greatness. He should be treated as a son of God. Hence, since we hope we are also sons of God, he should be treated as one who is a human brother to ourselves.

If we do not believe in the divinely implanted quality in man, but believe that the evolutionary process itself favors respect for life, and that the workings of survival perpetuate and increase the same qualities of mercy and kindness and tenderness which Christianity, and all the other great religions, with the possible exception of Mohammedanism, inculcate, then we come to precisely the same conclusion. The Negro has an ethical sense which is capable of development, just as we have an ethical sense which is capable of development. He should not be humiliated. He has the right to be treated as we would like to be treated.

I sometimes ask myself this question: How would I like to be treated as the ordinary Negro is treated? How would I feel? That is a good question for us all to ask ourselves, for the white race, as a race, to ask itself. How would we like it if we were treated as the Negro race is treated?

Because of the accident of birth, because of the accident of color, because of historical conditions, the Negro knows that, however hard he tries to acquire skill, however hard he tries to acquire virtue, he is marked and set aside as inferior and excluded from participation in the main stream of life.

How would we like to have our children go through that process, with the more sensitive ones never quite knowing how they would be treated from person to person, never quite knowing what to expect, but always knowing that sometime during the course of the day they would meet with humiliation.

The average Negro in the South knows that others can vote, but that he cannot vote; that others can take part in the political stream of life, but that in the Southern States, at least, he cannot take part in the political stream of life. Therefore he knows that, since government largely reflects the interests and desires of those who have the vote, this means that government, in the States where Negroes are excluded, even though they exist in large numbers, will largely be shaped in the interest of the white group, but not in the interest of the Negro group. They are excluded, so to speak, from the stream of life.

I believe that many of us in these last days have asked ourselves this question: Suppose we had been among that group of 400 Negro students in South Carolina who peacefully assembled to protest because, in other positions of the South, Negroes who tried to sit down at a lunch counter and eat a hamburger had been prevented from doing so. Those 400 students who were peacefully assembling according to the news reports, had a fire hose turned on them, in a 40-degree temperature. Then they were arrested and put into a stockade, still dripping wet. Then as fast as sentence was passed upon them, they were put in a bus and taken away to jail or to the State penitentiary. Then the 400, still dripping wet after this experience, got together and sang "God Bless America."

How many of us, if we had gone through that experience, would have had the patience to sing "God bless America, land that I love"?

How many of our children who might have gone through such an experience would have been able to respond in such a fashion? Not many, I think.

One of the things which frightens me is the question of how long we can expect them to sing "God Bless America."

How long can we expect the black, brown, and yellow peoples of the world to line up on the side of freedom, as symbolized by America, if present conditions continue? We are paying a high price for our prejudices, a price which, as one looks ahead through the years, is very heavy.

Are we extremists, we who simply say that the Declaration of Independence means something and that it is not mere words; that the Gettysburg Address means something; that the sacrifices of the men who wore the uniform of blue at Gettysburg, at Antietam, at Cold Harbor, at Petersburg, and at Vicksburg meant something and that the 15th amendment really means what it says?

It is said all this is extremism, which sensible men of the world who live in the northwest section of Washington, and who have lunch at the Metropolitan Club, can have the privilege of disregarding themselves and of ridiculing those who take the American dream seriously.

ARE WE GOING TOO FAST?

Then the charge is made that we are going too fast. It is said, "Don't hurry. Take your time. Don't try to get any considerable numbers of Negroes registered and voting. Just get a little token number."

Are we going too fast, 100 years after the Civil War, and 90 years after the 15th amendment? It this were 1870 or 1890 or even 1900, perhaps that argument might be valid. We have largely lost, although not entirely, almost a century.

With the world as it is now, we cannot afford to go at the slow pace at which these gentlemen would have us go. We must make up for the past neglect. We must accelerate our pace, because we have been lagged for so long. The color consciousness over the world will not permit us to operate in any piece-meal or fragmentary fashion. The very security of the United States does not permit it.

One of the extraordinary things is that many of the columnists who write about the alarming tendencies in Africa and Asia, and the great difficulties that we are in, never seem to associate this fact in the slightest with color conditions here at home. While they advocate vigorous action—and properly so—to rehabilitate our position abroad and to strengthen it, they also urge that nothing be done, nothing really effective be done, here at home. I have tended to agree with these gentlemen in their views on foreign policy in the past. However, now that I see how wrong they are in their domestic judgment, perhaps I should reconsider those views, because they could be just as wrong on foreign issues as they are wrong domestically. They may not be such pundits after all.

How long can we expect to hold the allegiance or confidence of the rest of the world if we continue to behave as we are doing? How long can we expect the black race, in particular, to be patient elsewhere and in the United States? We do not have as much time as many people think.

IS VICTORY THE ONLY TEST OF A RIGHT OR REASONABLE POLICY?

The final argument is: "You know you cannot get this measure passed. If so, why do you propose it? You were beaten 42 to 53 on the proposal for cloture. You were beaten 38 to 55 on voting to include in the bill the protection of rights under the 14th amendment. You will not win this time. So why propose it? Why not go along with the administration, and go along with the parliamentary leadership of the Democratic Party?"

That may be the position of parliamentary leadership of the Democratic Party, Mr. President, but I believe that it is not the position of the whole Democratic Party, as evidenced in the statement of its advisory committee and in the soundings which I have taken among the people.

It is urged that we should go along with the pundits; that we join the organization, and have pinned on our lapel the medal of moderation in politics and thus be recognized as members of the inner club of the Senate.

I am certainly aware of the difficulties which we face. I am aware that our friends from the South are opposed to us. I wish to say that I honor the frankness with which they state their point of view. It has been my pleasure since I have been in the Senate to have had very friendly personal relations with most of the Senators from the South. They are charming gentlemen. Frankly, I think they would be better companions on a fishing trip than I would be myself.

However, we do not have only those men against us. We also have against us the main group of the administration followers, with the exception of the Republican liberals. I wish to take my hat off to the Republican liberals and to say to them that in my judgment if it were not for them this country would be in a very sad state indeed. They not only defend great principles, but I think they are keeping the Republican Party alive.

I do not know whether they appreciate this certificate of good character coming from me. However, let me say that I deeply appreciate the way in which this small group of Republican liberals have helped us in the planning and in the efforts we have been making to secure an effective civil rights bill.

We know that on this issue we also have against us the majority leader in the Senate and the Speaker of the House of Representatives. We know that they wield great power, and that it is pretty hard to buck them. I have had my troubles with the Speaker of the House of Representatives twice in the national conventions, when he was serving as permanent chairman. He had quite an efficient steamroller.

The truth is that, despite the press' concentration on Democratic differences, there is a split in both parties, between Republican liberals and Republican conservatives, and between Democratic liberals and Democratic conservatives. In the main the race issue separates them, although not entirely, because there are some of our friends in the South who, on economic matters, certainly cannot be classed as conservatives. But I suppose that so far as the parliamentary strength is concerned, the liberal elements of the Democratic Party and the liberal elements of the Republican Party are a relative minority in Congress. But I believe they are not a minority in the country, and I hope at the national conventions of the Democratic Party.

What should one do in that circumstance, if he believes in something in which the holders of political power do not believe? Should he give up and not advocate what he believes in? Or should he make an effort to present his case in as good temper as possible, and then abide by the results, but with the understanding which always exists in a democracy that one's case can be carried to the people, to the people who, in a democracy, are the ultimate possessors of political power, and who determine who are to represent them, not merely in Congress, but also in the Presidency?

I know this is the period of the organization man. I have read Mr. David Riesman's book, "The Lonely Crowd." I have read Mr. William H. Whyte's book, "The Organization Man." I have read Mr. Vance Packard's books "The Status Seekers," and "The Hidden Persuaders." They describe a large portion of reality. There is a tendency to "go along." We are told, "Don't stick your neck out; advocate only those things which you know will be put into effect immediately." I suppose that is the way to get ahead.

But it is also the way to lose one's soul. It does not advance humanity.

These last nights I have been reading, when I could not sleep, a number of American biographies: of Theodore Parker, the great reformer of New England, who was driven out of the churches, but who became a great spiritual force in New England. I know something of the experiences which the early advocates of woman suffrage and of the rights of labor and of abolition experienced. I know something of the way in which William Lloyd Garrison was dragged through the streets of Boston with a rope around his neck, threatened with death because he had declared in favor of the abolition of slavery.

Someone later came from England and asked a citizen of Boston, "What was that mob doing? Trying to lynch Garrison?" The reply was, "That was not a mob; that consisted of the best citizens of Boston."

The grandchildren and great-grandchildren of those who stoned Garrison and Wendell Philips and Theodore Parker now imagine that their ancestors were the defenders of these men.

I believe it was Anatole France who said:

> The dead lend themselves very readily to reconciliation.

Possibly it is true that after this battle has passed, history may be rewritten in such fashion that those who are now opposing an effective voting rights bill may be treated in the light of history as the great protagonists of voting rights and of civil rights.

Such are the amusing features of history, particularly if one has a good press agent, and more so if one has connections with a strong group of newspaper columnists and commentators.

Appeals are now being made to the sacred name of George Norris, who for 40 years fought on the floor, first of the House, and then of the Senate, for progressive legislation, in particular for public power. Now it is being said that Norris knew how to get things done; that he always worked with the leadership. He worked with the leadership, it is said, and they helped put those things through for him.

Mr. President, those who say that simply do not know history. Norris was a pariah in this body for many years, shunned by his colleagues, shunned by the leaders of his party, shunned by the leaders of my party. It was only when there was a great popular change in 1932 that he came into his own. But he would not have been able to get the Tennessee Valley Authority and the REA through Congress if in the previous decades, standing almost alone against the massed power of the Senate, he had not fought for what he believed to be right, and had not been willing to be voted down time after time.

The committee which was designated to choose the five great Senators rejected Norris, for reasons which I have never quite been able to understand. But they did choose, as one of the five great Senators, Bob La Follette, of Wisconsin, whose portrait will be found in the anteroom of the Senate Chamber. Bob La Follette never consulted the leadership to find out what it wanted or what had a chance of passage. He did what he thought was right.

When he first came to the U.S. Senate and rose to speak on monopolies and the railways, every Senator got up and walked out. La Follette spoke to a completely empty Chamber, much as I have been speaking to an empty Chamber this afternoon, although I am not trying to compare myself with La Follette. La Follette then made a statement which was very prophetic when he said:

> I predict that many of those who have temporarily absented themselves from this Chamber will be permanently absented from this Chamber.

That is precisely what happened, because he went out over the country, to chautauquas and other public meetings, and called the roll. He gave the results of the rollcalls on significant votes. In the space of 8 years, we had the popular election of Senators. While the Senate may have continued as a club, it ceased to be a millionaire's club—although we are glad to have a few of them with us.

What I am trying to say is that there is a case for dissent. If one believes a cause to be right, even if every other Member of the Senate is opposed to him, it is proper to advance it—yet not to take too much time in advancing it; not to do it with complete disregard for the feelings of others; not to condemn those who think differently from one's self; but to argue the logic, as I have tried to do this afternoon; not to be taken in by the statement, "Well, you will never get it by."

If we considered only those things which could be immediately passed, society would always be on dead center, and would never advance whatsoever.

Please do not think I am trying to include myself with Wendell Philips of William Lloyd Garrison or Julia Ward Howe or Robert La Follette or George Norris.

I simply say that there are great wrongs in the treatment which we mete out to the Negroes, wrongs which deserve to be remedied.

One of the things on which we should concentrate is the right to vote. It is not the sole reform, but is a very important reform. If we believe in it, we should get an effective measure. I believe that an effective measure consists far more in the registrar proposal than in the referee proposal, which, in my judgment, is illusory and will result in only an insignificant fraction of the Negroes being given the right of suffrage.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I yield.

Mr. JAVITS. Is the Senator from Illinois not cognizant of the fact that even assuming that his amendment to section 3 of the bill carries, it would still leave section 7 of the bill intact? Is the Senator from Illinois not aware of that?

Mr. DOUGLAS. Yes, I am. This is an amendment to section 3; that is correct.

Mr. JAVITS. Is the Senator from Illinois not also aware that, whatever may be the views of himself and other Senators who desire to see the registrar plan adopted as the plan for voting, it is a fact that if this amendment were adopted, the Senate would have an opportunity, in due course, to work its will and to say whether it wanted only the Senator's amendment or whether it wanted both the Senator's amendment and the voting referee provision. Is that correct?

Mr. DOUGLAS. Yes.

Mr. JAVITS. Thus the Senate could take its choice, let me say, even though I, as one of the proponents of this amendment, have firm views on the subject, in that I want the registrar proposal, only, adopted.

Mr. DOUGLAS. That is correct.

Mr. JAVITS. Is it not also correct to say that in giving the Senate these alternatives—which by now are standard—the Senate has a full opportunity to work its will; and that the three alternatives are as follows:

First, the pending proposal, submitted by the Senator from Illinois, on behalf of himself and myself—to wit, the registrar proposal, which may be joined with—if the Senate so chooses—the voting referee proposal.

Second, the proposal for Federal enrollment officers—it is the so-called Clark proposal, and is cosponsored by me—which turns upon the fulcrum of a decided Supreme Court case, and also retains the voting referee proposal.

Third, the voting referee proposal.

In view of those alternatives, it is not the view of the Senator from Illinois that, at the very least, the Senate should have an opportunity—in view of the fact that, for reasons which are known to all of us, there has been no committee procedure in connection with this bill—under these circumstances to consider these classic alternatives, and to either adopt or reject them?

And does the Senator from Illinois not also agree that that is particularly true in view of the fact that the chief of these alternatives is not the product of the ingenuity of some one Senator, but is the product of the very deliberate and considered thinking and judgment on this entire subject—and now I refer to the Federal registrar proposal—by the Civil Rights Commission, and that two of the members of the Commission who concurred in that proposal are very distinguished men from the South; and that the proposal for Federal enrollment officers is not strictly a product of the brain of the Senator from Pennsylvania [Mr. CLARK] or of my brain, but represents the consensus of opinion of six Members of this body, three Democrats and three Republicans—and also represents the thinking of the Senator from Missouri [Mr. HENNINGS].

Is that not the situation which faces the Senate; and do not such auspices give these alternatives such standing and such quality that the Senate almost has a duty to consider them and to permit the majority of the Senate to work its will in deciding which one of them will best carry out its purposes?

Mr. DOUGLAS. The Senator from New York is correct, and I am very glad he has so well illustrated the variety of choices before the Senate.

He has joined me in sponsoring the pending amendment which calls for the appointment of Federal registrars; and, as he has said, the pending amendment really has been endorsed by five of the six members of the Civil Rights Commission. The Senator from New York has also pointed out that there are other possibilities or alternatives.

As the Senator from Pennsylvania [Mr. CLARK] pointed out yesterday evening, the reason why we brought up the registrar proposal as an amendment in the form of a susbtitute for section 3 of the Dirksen measure, instead of waiting for the Senate to reach the consideration of section 7, is that if we were to wait for section 7 to be considered, by that time the House bill might well have come to the Senate, and then we might be faced with a move to substitute the House bill for the Dirksen measure, with cloture then imposed; and if that happened, then a registrar proposal, as a susbtitute for the referee proposal, would in all probability be ruled not germane.

Therefore, we felt that time did not permit us to have any further delay, and that we should move as rapidly as possible to a consideration of the question of voting rights, and that we should begin with the proposal for the plan suggested by the Civil Rights Commission.

Mr. JAVITS. In view of the fact that this matter has been discussed, now, for weeks on end, and that at long last—whatever may be the reason for it; and I think both the Senator and I have a right to feel that we had something to do with bringing on the sudden spurt of voting amendments either up or down by means of the much maligned but, I believe, extremely useful cloture petition—voting has been had, does the Senator from Illinois not believe that when propositions have been so deliberately and so elaborately designed by authorities as important as the members of the Federal Civil Rights Commission, they deserve a deliberation and a discussion which bear some remote facsimile to the weeks of discussion which the Senate has had upon generalities, which resulted in no voting at all?

Mr. DOUGLAS. I agree.

Mr. President, I hope the Senator from Michigan [Mr. HART] will take part in this debate. I also hope that the Senator from Missouri [Mr. HENNINGS], who hitherto has not discussed this subject at any length, will take the floor and will discuss this matter.

However, personally, I have no desire to prolong the proceedings to any great length. I have now said about all I wish to say.

Mr. President, I shall close by saying that I think the press, the public, and we ourselves have all too often succumbed to the temptation merely to ask ourselves, "What will win?" Then we adopt only the course of action which we believe will win. However, Mr. President, to succumb to that view is, in my judgment, to give in to the sickness of our society—to the worship of power, to the worship of success—and not to adhere to fidelity to ideals.

Mr. President, to me, the Declaration of Independence still has validity. To me, the Gettysburg Address is still true Americanism. To me, the 14th amendment and the 15th amendment still are valid. To me, the Negro is a man. To me, every human being, whatever his race, color, or religion, should be treated as a son of God, and we should not knowingly humiliate anyone.

I believe that we should try to develop the best that is in people; that the democratic process of participation forces people to make moral choices, and that by making those moral choices, the character of people is necessarily improved; that in the long run, public discussion tends to winnow out the false and to retain the true, or to obtain a blending of different proposals which perhaps is better than any original proposition.

That is why I believe we should have a broader participation in public life; that groups should not be excluded because of extrinsic qualities of color or race; and that if we really mean what we say, we should try to do this in a fair fashion, not in the least effective fashion possible. That fair and effective method is the basis of the present amendment.

Mr. CASE of South Dakota. Mr. President, will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. Moss in the chair). Does the Senator from Illinois yield to the Senator from South Dakota?

Mr. DOUGLAS. I yield.

Mr. CASE of South Dakota. I should like to ask the Senator from Illinois several questions.

Mr. DOUGLAS. Certainly.

Mr. CASE of South Dakota. First of all, let me say that, personally, I regard the ballot box as the ultimate guardian of liberty in a government by the people; and, personally, I feel that the 15th amendment warrants appropriate legislation to secure the safety of the vote for all citizens, regardless of race or color.

Mr. DOUGLAS. And that is what I have been contending for this afternoon.

Mr. CASE of South Dakota. And I have failed to find in the 15th amendment any distinction between State elections or Federal elections. The 15th amendment clearly states that the right to vote shall not be abridged by reason of race or color.

Mr. DOUGLAS. I quite agree, and earlier in the afternoon I argued that point.

Mr. CASE of South Dakota. I respect the Senator's sincerity on that point. With me, however, the problem is, How can we best get it done? I have some reservation with respect to the so-called referee provision as it is proposed in the Dirksen substitute. I feel it would possibly make the courts too much of an

administrative agency, and perhaps overburdened the courts which have a clogged calendar.

Mr. DOUGLAS. That is one objection.

Mr. CASE of South Dakota. On the other hand, I feel that to burden the President with making all the findings necessary to set up a registrar might be overburdening the Presidency. I had thought that possibly the proposal advanced by the Senator from New York [Mr. JAVITS], the Senator from Pennsylvania [Mr. CLARK], and other Senators, offered a way to implement the 15th amendment without overburdening the court on the one hand, or the President on the other.

Under the parliamentary situation, how can I best express my conviction by a vote? What shall I do?

Mr. DOUGLAS. I do not want to give the Senator advice on how to vote. Let me say that if the registrar proposal is turned down, we can then proceed to the Clark-Javits proposal.

But in the meantime, before the Senator makes up his mind, I ask him to look at page 4, subsection (D) of our amendment, as regards the question of overburdening the President. That provision reads:

> In conducting any investigation under the provisions of this section, the President may designate the Commission on Civil Rights, the Department of Justice, or such other department or agency as he may deem appropriate to make available to him such facts as he finds necessary for his determination.

Mr. CASE of South Dakota. I thank the Senator for his yielding and for his answer to my question.

Mr. DOUGLAS. Mr. President, I am ready to yield the floor, unless there are questions.

Mr. JOHNSON of Texas, Mr. JAVITS, and Mr. CHURCH addressed the Chair.

Mr. DOUGLAS. I yield to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Illinois yields to the Senator from Idaho for a question.

Mr. DOUGLAS. Or statement, with the understanding that I do not lose my right to the floor.

Mr. CHURCH. Mr. President, first of all, I want to commend the Senator from Illinois for the excellent address he has given this afternoon. I honor him for the leadership he has shown in the civil rights field, and for his efforts to convey the importance of this matter to the entire country.

I should like to ask the Senator this question. Is it not true that under the Constitution it is left to the States to determine the qualifications of voters, with the limitation that no State may deny the vote on account of race, color, or previous condition of servitude, as provided in the 15th amendment?

Mr. DOUGLAS. I think that is substantially true, although as the Senator knows, there are two provisions on this point, the 4th section of the first article of the Constitution; namely, that Congress may prescribe the time, place, and manner of electing—initially—Representatives, and then later the meaning was broadened to include Senators, and the word "manner" may have a somewhat elastic definition; and, secondly, the 15th amendment, to which the Senator has referred.

Of course, as the Senator knows, in the particular amendments which are before us, none of them proposes to set up different qualifications. They provide that the State qualifications shall be carried out or applied by the federally appointed registrars, or enrolling officers, or referees. But where there is proof that the administration of the qualifications is carried out in a discriminatory fashion, then a Federal officer, either judicial or administrative, may be appointed, who will apply the State's standards—not new standards, but the State's standards.

Mr. CHURCH. I understand that is so, but, apart from the restriction imposed upon the States by the 15th amendment, the States, under the Constitution, have the authority to establish the qualifications for voters. That is true, is it not?

Mr. DOUGLAS. Yes, but they cannot be applied in a discriminatory fashion.

Mr. CHURCH. I agree, because the 15th amendment specifies that no State shall deny the right to vote to any person on account of race, color, or previous condition of servitude.

Mr. DOUGLAS. Not only shall not deny, but also shall not abridge.

Mr. CHURCH. That is true. Now, since under the Constitution it is left to the States to establish the general qualifications for voting, which they must establish in a nondiscriminatory fashion, has it not always been customary for the States to handle the registration of voters within their own jurisdictions?

Mr. DOUGLAS. Yes. That is correct, of course.

Mr. CHURCH. And the purpose of the legislation that we are now considering is to provide a remedy to citizens who are disenfranchised improperly, by virtue of the failure of a State, in any given case, to register those voters in accordance with their rights under the Constitution?

Mr. DOUGLAS. That is correct.

Mr. CHURCH. That brings me to the principal question I should like to ask the Senator from Illinois. Since normally the States provide the registrars to register the voters, and since it is our purpose to furnish a remedy to citizens who may be improperly denied the right to vote by a given State, in an unconstitutional manner, and since, to do so, whether we proceed by way of a registrar or a referee, it is first necessary for a finding to be made that the State in question has in fact improperly denied citizens of their right to register and vote, then is it not a matter of central importance to determine by what method that finding is made? And, in this connection, I will ask the Senator whether, under his proposal, that finding would have to be made in an adversarial proceeding in a Federal court, where competent evidence must be presented to establish that discriminatory practice is in fact taking place, or whether it could be made administratively without such a procedure, or in what manner it could be made?

Mr. DOUGLAS. On pages 3 and 4 of the amendment we provide that the findings shall be made administratively, and the President may designate the Commission on Civil Rights, if it is continued, as I hope it will be continued, or the Department of Justice, or such other agency as he may deem appropriate to conduct the investigation and make available to him all the facts necessary for his determination.

This is not something new in American Government. In many acts we have quasi-judicial bodies which are given this power; and the Commission on Civil Rights, though not the Department of Justice, could be held to be a quasi-judicial body.

Mr. CHURCH. Are there any other precedents in Federal law which permit Federal officers to supplant State officers on the basis of a purely administrative determination? This is the problem which troubles me, and it troubles me very deeply.

Mr. DOUGLAS. As the Senator from Idaho knows, I am not a lawyer.

I remember, however, the first Child Labor Act, which I think was passed in 1914. At that time standards were laid down. It was provided that where State administrative officials came up to a given standard of efficiency they could serve as Federal officials for the purpose of the act, but where they did not come up to those standards the Federal inspectors would substitute for them. While the first child labor law was declared unconstitutional, I do not think it was declared unconstitutional on that ground. I think that provision of the act was not reversed.

Mr. CHURCH. I do not raise, in connection with the amendment presented by the Senator, a constitutional question.

Mr. DOUGLAS. I understand.

Mr. CHURCH. I raise instead a question of policy. It seems to me that where the objective is to replace local registrars—who have customarily been State officers and who, under the Constitution, are intended to be State officers—with Federal registrars, who would supplant the State officers, it is very important that the initial determination that a pattern of discrimination does in fact exist, of a kind to justify the use of Federal officers in the place of the State officers, ought to be carefully and properly made. I fail to find, in the language of the amendment, sufficiently specific provisions to satisfy me that an administrative determination by the Civil Rights Commission—or, indeed, by the Attorney General, who is, after all, an appointee of the President—would be sufficient to assure me that due process of law would be followed in the making of this finding. So the fault I see in the Senator's proposal is with respect to the initial finding. It is my feeling that since such a finding could only safely be made upon competent evidence, and since the rules of evidence and judicial procedure which have grown up over the centuries ought properly to apply in a case of this kind, this initial finding should be made in a Federal court.

Mr. DOUGLAS. I appreciate the Senator's feelings.

Mr. CHURCH. For this reason I find I cannot support the amendment offered by the Senator, but I again commend the Senator from Illinois for the splendid address he has made and for the leadership he has shown in advancing the cause of civil rights. I want the Senator to understand why I differ with him in regard to this amendment.

Mr. DOUGLAS. Yes. I appreciate the position of the Senator from Idaho very much.

Perhaps my use of the language was inexact. I wish to point out that the Federal registrar appointed by the President would not replace the local or State registrar. Those local registrars would indeed continue to function. The Federal registrar would merely serve to register groups which Congress and the Commission have found in general to be discriminated against, and whom we know as men have been discriminated against, in localities where the President or the agent of the President specifically found this discrimination to exist. I do not see any reason—and eminent law professors agree—why the action cannot be based on such findings by Congress and the President, as well as on court findings.

We are not going to put in a new wholesale system of registration which supplants the old one. The present system would continue, in those cases where the Federal registrar was appointed, for the white voters. The Federal registrar would merely serve as a registration officer for the disbarred Negro voters.

I know there are many facets to this problem, and it is hard to get an answer which satisfies all queries on every fastidious point, so to speak.

The evil against which we are moving, is, to my mind, however, so great that we have to have a fairly effective means of dealing with it.

I think the chief fault with the referee system is not so much in the original judicial finding—although that is not simple and fast—that a general practice or pattern of discrimination operates, but is in the fact that after the finding has been established each individual Negro has to go through the process once again with the State or local registrar. Each individual must submit himself to the humiliation and to the delays and pressures of being forced to register at the same place. He must again go to the referee, and then once more to the judge, to prove not only that he is qualified to vote but that he has been discriminated against. I think that is the chief fault with regard to the proposal.

There are all kinds of combinations and permutations which one can include in regard to the registrar and referee system. We chose one that seemed to us most simple, direct and effective. Perhaps later along the way the Senator from Idaho will want to join us on some variant.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. Moss in the chair). The Senator from Texas is recognized.

Mr. JOHNSON of Texas. Mr. President, I ask that the yeas and nays be ordered on the Senator's amendment.

The yeas and nays were ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I intend to move to table the amendment, but I shall withhold that motion temporarily, with the understanding that I shall not lose my right to the floor. I shall be glad to yield for reasonable amounts of time to other Senators, with the full understanding that I reserve my right to the floor and my right to offer the motion to table the amendment.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and, if so, to whom?

Mr. DIRKSEN. I yield to my colleague from Illinois.

Mr. DOUGLAS. I thank my colleague for yielding.

I will say I ascertained earlier today that a number of Senators, or their offices had inferred that there would probably be no votes today. Those Senators are therefore absent on various forms of official business. I am personally ready to vote at any time, of course.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DOUGLAS. May I finish, please?

Mr. JOHNSON of Texas. I should like to correct the impression that anyone in authority in the leadership informed any Senator there would be no votes today. I think I have talked to most Senators, and to everyone who asked me I said we expected votes, even during the evening, if necessary.

Mr. DOUGLAS. It is hard to get testimony from absent Senators as to what they believed or inferred.

I will merely say that the offices of these Senators have in general told us they inferred that probably there would not be a vote today.

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

Mr. DOUGLAS. It so happens that most of these Senators who are away are men who, if present, would probably vote with us. I do not think it would be wholly fair to a number of the absent Senators to push the amendment to a vote today.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. TALMADGE. Mr. President, will the distinguished minority leader yield to me for 1 minute, so that I may make an insertion in the RECORD?

Mr. DIRKSEN. Mr. President, I will yield to the Senator from Georgia with the understanding that I shall not lose my right to the floor.

The PRESIDING OFFICER. The Senator from Illinois yields to the Senator from Georgia.

TRIBUTE TO SENATOR RUSSELL

Mr. TALMADGE. Mr. President, an impressive example of the profound respect and unqualified esteem which all Americans hold for Georgia's illustrious senior Senator [Mr. RUSSELL] is the excellent column by Bill Henry which appeared in a recent issue of the Los Angeles Times and was reprinted in the March 17, 1960, issue of the Atlanta Journal.

Mr. Henry pays deserved tribute to the senior Senator from Georgia [Mr. RUSSELL] as an outstanding lawyer, a great Governor and a U.S. Senator of unparalleled stature. He expresses the opinion that were the U.S. Senate called upon to name the Nation's most talented and successful diplomat of modern times it would unanimously choose the Senator from Georgia [Mr. RUSSELL].

As the Member of this body who has the honor to serve as the Senator's junior colleague, I wish to endorse Mr. Henry's conclusions about the greatness of this incomparable statesman and I wish to observe that it is my personal conclusion that historians of the future will record that the greatest mistake our Nation has made during the past half century was in not calling him to the higher service of President of these United States.

I ask unanimous consent, Mr. President, that the text of Mr. Henry's column, as reprinted in the Atlanta Journal, be printed herewith in the body of the RECORD.

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

SENATOR RICHARD RUSSELL: NATION'S BEST DIPLOMAT

(By Bill Henry)

If it were ever left to the membership of the Senate of the United States to name the most talented and successful diplomat of modern times, it would not be John Foster Dulles or Dean Acheson or any of the other professional practitioners of the art of accomplishing-something-without-ruffling-too-many-feathers.

Instead of thumbing through the State Department personnel files for the greatest diplomat of them all, the Senate would turn to its own membership and offer the name of the distinguished gentleman from Georgia, RICHARD BREVARD RUSSELL. The balding bachelor from the tiny town of Winder has demonstrated the exact mixture of determination, tact and procedural skill required for success on so many occasions that even those who disagree completely with some of the things he stands for will swear that no man in modern times has so perfectly combined the judicial qualities with tact and skill.

LOOKING BACK

Just look back at his most recent accomplishment of keeping the whole Senate without sleep for more than a week and preventing a majority from having its way, without having any of the Members mad at him. The actual fact is that those who most furiously resent what they feel is his obstructionism not only grudgingly admire his skill and tact but find it impossible to stir up any personal antagonism over the situation. It's a pretty good trick to keep people up without much sleep for a week, deny them what they feel are their rights, and still lose neither their respect nor their friendship.

Senator RUSSELL has, as a matter of fact, made a career of defending what he regards as the right of the individual States to settle their own problems. He's been at it, successfully, for more than a quarter of a century in the Senate.

But he has not limited his activities to this matter. His judicial tact, demonstrated in many different fields and on many differ-

ent matters, is such that when the touchy matter of investigating the dismissal of Gen. Douglas MacArthur came up, RUSSELL was the unanimous choice of his fellow Senators to preside over the hearings. The conduct of those sessions has been hailed as an example of perfect handling of an almost impossible problem. A major secret of his success is the fact that he doesn't lose his temper or his poise. He has planned his present campaign to prevent what he regards as an injustice to the South in a manner that would do credit to a military genius like Robert E. Lee. One error could easily bring the wrath of an infuriated majority down on his head—but he doesn't make that sort of mistake.

REMARKABLE CAREER

RICHARD BREVARD RUSSELL is a smalltown gentleman attorney who comes by his political skills rightly. His father was a struggling smalltown lawyer who eventually became chief justice of Georgia. RUSSELL spent a decade in the general assembly, becoming speaker and then being elected Governor at the ripe old age of 33. He at once cut his own salary, eliminated 85 of 102 bureaus and agencies in his State, and when his term expired was elected to the Senate. As a symbol of the South he received 263 votes for the presidential nomination in 1948 and 292 votes in 1952. It is quite a tribute that he is highly regarded by his colleagues despite the bitterness of their disagreement with him on the touchy subject of civil and States rights.

Mr. President, I thank the distinguished minority leader for yielding to me.

LEASING OF PORTION OF FORT CROWDER, MO.—CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools, R-I, Missouri.

Mr. JAVITS. Mr. President, will the minority leader yield to me?

Mr. DIRKSEN. Mr. President, with the understanding that I do not lose the floor, I shall be glad to yield. I think the distinguished senior Senator from New York would like 20 minutes.

Mr. JAVITS. That is correct.

Mr. DIRKSEN. I believe the distinguished junior Senator from New York [Mr. KEATING] would like 10 minutes.

Mr. KEATING. The Senator is correct.

Mr. DIRKSEN. May I have the attention of the Senator from Michigan [Mr. HART], who is on his feet? I thought perhaps he wanted a little time.

Mr. HART. I apologize for distracting the Senator.

Mr. DIRKSEN. I merely wished to ascertain how many Senators desired time before I press the motion to table.

Mr. HART. I would welcome the opportunity briefly to state my views.

Mr. DIRKSEN. Could that be done within the compass of 10 minutes?

Mr. HART. Yes.

Mr. MANSFIELD. Mr. President, in order to keep the record straight, there have been allegations that assurances had been given to Senators that there were to be no votes today. I understand, indirectly, through the grapevine, that I am said to be one of those who gave such assurance. I deny absolutely that I gave any such assurance. I stated that I did not think there would be any votes today, but that I could not assure Senators there would be no votes. I told Senators that if they would leave their names with me, if there were to be votes I would see that they were notified as soon as possible.

I wish to have that statement on the record, because no assurance has been given to anyone, so far as I am concerned, that there would not be any votes today.

Mr. DIRKSEN. Mr. President, obviously assurances are unpredictable things. I know of no assurance that I gave on that point. Besides, I believe, in fairness to Senators who have remained in the Chamber, we are entitled to make some progress in this matter, so no apologies are necessary from any side.

Mr. President, I ask unanimous consent that, with the understanding that I shall not lose the floor, I may yield 10 minutes to the junior Senator from New York [Mr. KEATING], 10 minutes to the Senator from Michigan [Mr. HART], and 20 minutes to the senior Senator from New York [Mr. JAVITS], or a total of 40 minutes, following which I shall take 5 minutes for myself, and if no Senator wishes additional time, I shall press the motion to table.

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

Mr. MANSFIELD. Mr. President, reserving the right to object, does the Senator intend to make a motion to table the pending amendment?

Mr. DIRKSEN. I do.

Mr. MANSFIELD. I assume that, so far as the Democratic side is concerned, we can notify all absent Senators, even to the extent of telephoning them long distance or sending telegrams. I wish the attachés on the Democratic side would attend to that matter immediately.

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

Mr. DIRKSEN. I yield provided I do not lose the floor.

Mr. ERVIN. A moment ago the majority leader, the Senator from Texas [Mr. JOHNSON] asked for the yeas and nays on the pending amendment, which were ordered. I wonder if there is to be a yea-and-nay vote on the motion to table.

Mr. DIRKSEN. I expect to ask for the yeas and nays.

The PRESIDING OFFICER. There is a unanimous-consent request now pending. Is there objection to the request of the minority leader that he be permitted to yield to various Senators the times indicated, without losing the floor? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, after 45 minutes I shall make the motion to table, and ask for the yeas and nays.

I now yield to the junior Senator from New York [Mr. KEATING].

Mr. KEATING. Mr. President, I thank the Senator from Illinois. I wish to speak on another subject very briefly, but before doing so I shall speak for a moment or two on the pending amendment.

In my judgment the voting referee proposal is by all odds the soundest single method of protecting the right to vote against discrimination. I strongly support section 7 of the Dirksen amendment, which embodies the referee proposal. However, I feel that the registrar proposal has been greatly strengthened over the one originally proposed, in that the present version applies to both Federal and State elections, and there is no doubt in my mind whatever that under the 15th amendment Congress has the power to legislate in this field as regards both Federal and State elections.

Furthermore, it is entirely impracticable to legislate only as to Federal elections, because in many States the ballots cover both Federal and State officers, on the same ballot.

Those of us who favor further strengthening the rights of our citizens to vote do not wish to be whipsawed, as almost happened in the other body, by having one group, who favor a particular method, line up with those who do not want any method, against the other side; and, in turn, when some other plan is presented, have another group form the same kind of coalition to defeat the second measure. Therefore, I think it is very desirable, since this amendment does not supplant section 7, to have an alternative plan before us for consideration at this stage.

As I understand, if the motion to table is agreed to, it is the intention of the Senator from Pennsylvania [Mr. CLARK], the senior Senator from New York [Mr. JAVITS], and other Senators to offer another proposal.

I think it is very important that we should have this opportunity to test the sentiment of the Senate on these alternatives without jeopardizing the referee section.

Mr. President, I now desire to discuss another subject.

The PRESIDING OFFICER. The junior Senator from New York has the floor.

RECOMMENDATIONS OF THE PRESIDENT FOR REVISION OF IMMIGRATION LAWS

Mr. KEATING. Mr. President, earlier today I was happy to cosponsor a bill to carry out the recommendations of the President for revision of the immigration laws. I hope that the Subcommittee on Immigration and Naturalization, of which I am a member, will give this legislation prompt and favorable attention. The problems in this field have been too long neglected. Our present immigration laws are very fine in many respects. Nevertheless, they are riddled with discriminatory, inequitable, and unjustifiably stringent provisions; and the sooner we come to grips with this problem the better.

Charges were made yesterday, both here and in the other body, that the President's message was motivated by election year politics. At the time I said this charge was completely baseless. I repeat that statement now and I wish to document my position.

The charge is made by those who wish to cover up for the failure on the part of the Congress to do anything substantial to reform our immigration laws.

Let me briefly review the actions which the President has taken in this field since 1953.

On February 2, 1953, within 1 month after taking office, the President, in his state of the Union message, requested the Congress to review existing legislation in this field and to "enact a statute which would at one and the same time guard our legitimate national interests and be faithful to our basic ideas of freedom and fairness to all."

This message reminded us that "we are—one and all—immigrants or the sons and daughters of immigrants." It pointed out that existing legislation contained "injustices" and did in fact "discriminate."

Later that same year, on April 22, 1953, the President sent a letter to the Vice President of the United States and the President of the Senate, and the Speaker of the House of Representatives, wherein he recommended the enactment of emergency immigration legislation for the special admission of a total of 240,000 immigrants.

On February 17, 1954, the President requested supplemental appropriations to continue the refugee relief program.

On January 6, 1955, in his state of the Union address, the President again urged the correction of certain inequitable, and discriminatory provisions in our immigration laws.

On April 20, 1955, the President transmitted a message to the Congress on the mutual security program which contained his request for funds for the United Nations and the Intergovernmental Committee for European Migration for the purpose of carrying on their humanitarian assistance to uprooted and oppressed refugees throughout the world.

On May 27, 1955, the President, in a most comprehensive message, suggested approximately 10 changes to the Refugee Relief Act.

On January 5, 1956, in his state of the Union message, the President again demanded immediate attention to our immigration problem and requested a revision of our immigration and nationality laws which would deal realistically with present-day conditions.

On February 8, 1956, the President delivered a special message to the Congress which again was a comprehensive statement on the need for a major overhauling of our immigration laws.

This message took up four separate and distinct subject matters respecting our immigration policies: First, the quota system and the use of national origins; second, the private relief bill system of handling hardship cases; third, unnecessary restrictions and administrative provisions of our immigration laws; and fourth, judicial review in deportation.

In this message the President said:

Experience in the postwar world demonstrates that the present national origins method of admitting aliens needs to be reexamined and a new system adopted which will admit aliens within allowable numbers according to new guidelines and standards.

On September 25, 1956, the President addressed a letter to me as the ranking minority member of the Judiciary Committee, wherein he expressed great disappointment over Congress failure to meet his repeated requests for legislation which would provide asylum for a substantial number of refugees and escapees in Europe. He expressed hope, however, that this much-needed legislation would be forthcoming in the next session of Congress and stated that he would again urge its enactment.

In the President's budget message of 1957, the President again requested amounts for escapee program and for contributions to Governmental Committee for European Immigration and the United Nations Refugee Fund, which aid in the relief and settlement of refugees from behind the Iron Curtain and in immigration from Europe.

On May 23, 1957, the President, in a message to the Congress, once again urged corrective legislation to alleviate the tremendous refugee problem existing throughout the world. And, in this same message, the President again urged that the quota be based on the 1950 population in place of the 1920 census. He called for the equitable distribution of the additional quota numbers and recommended that they be distributed among the various countries in proportion to the actual immigration into the United States since the establishment of the quota system in 1924 and up to July 1, 1955. He further recommended that quota numbers unused one year should be available for use in the following year. He called for a pool of the unused quota numbers for Europe, Africa, Asia, and the Pacific oceanic areas. He also made recommendations that would eliminate the so-called mortgage on quotas arrangement existing under the Displaced Persons Act. In addition, he noted the need for proper alien orphan adoption legislation, together with several other liberalizing features on our immigration policy.

On May 21, 1957, in a message to the Congress, the President further urged contributions to the United Nations and other international programs in the field of technical operation, assistance to refugees, migrants, children's welfare and assistance to escapees from Communist despotism.

On March 13, 1959, the President again called for funds to continue the just-mentioned programs.

On May 21, 1959, the President held a conference at the White House on refugee problems and cited this country's role in the World Refugee Year.

On January 18, 1960, in his budget message for 1961, the President again requested funds to continue his mutual security program.

The Chief Executive can urge laws but he cannot enact them. No one can fairly shift responsibility to the President for Congress' inaction these past 8 years.

On the contrary, it is plain from the record that the President has done everything which could reasonably be expected to center attention on the flaws in our present immigration policy. His efforts deserve recognition from all those interested in these objectives. If we had more action in Congress and less partisan backbiting, there would be no need for the President's constant reminders to us of our legislative responsibilities.

I for one intend to follow the President's lead and to continue my unceasing efforts for constructive results. I will not be drawn into any partisan debate on a subject so important to the poor souls throughout the world who look to America for welcome and haven. Let us devote our energy and time to a discussion of the merits of these issues and not waste them on questioning anyone's motivation.

This is a field which cries out for action. Let us respond to that cry sympathetically and constructively—rather than by bitter carping and wrangling. Let us not play politics with the problems of broken families, displaced refugees, orphaned children, and all the other people throughout the world who love and respect our great country and who expect from America a warm and generous response to their needs.

I am grateful to my friend from Illinois for permitting me to make these brief remarks on this subject. I ask unanimous consent that an analysis of S. 3225 be printed in the RECORD at this point as a part of my remarks.

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

ANALYSIS OF S. 3225

(Outline of proposal "to amend the Immigration and Nationality Act so as to modernize and liberalize the quota system and provide for the admission of persecuted peoples, and for other purposes.")

QUOTA PROVISIONS

Under existing law the annual quota of 154,657 is computed by taking one-sixth of 1 percent of the white population in 1920.

1. The proposal (section 1) would provide for increasing the annual quota.

(a) The quota would be increased by applying the same percentage to the 1950 total population rather than to the 1920 white population. This would provide an increase of 101,343 or a total annual quota of 256,000.

(b) It would provide a further increase in the annual quota when the 1960 census is completed by applying the same percentage to the 1960 total population. This would provide an increase of about double the present quota or a total annual quota of 300,000.

Existing law provides for the distribution of the quota as determined under the provisions of the Immigration Act of 1924 based upon "national origin." It also provides that the minimum quota for any quota area shall be 100.

2. The proposal (sections 1 and 2) would provide for an equitable distribution of the additional quota numbers authorized.

(a) Each quota area would receive the same quota provided by existing law.

(b) The proposal would increase the quota of each minimum quota area from 100 to 200.

(c) Under the proposal the concept of "national origin" would be discarded insofar as distribution of the remainder of the increase in the quota is concerned. The remainder of the increase in the quota would

be distributed among the several quota areas in proportion to the total immigration to the United States from each area between July 1, 1924 and July 1, 1959.

Existing law makes no provision for the use of unused quotas.

3. The proposal (section 1) would provide for the use of unused quotas by pooling such quotas and providing for their redistribution.

(a) Quota numbers in the pool would be made available to natives of quota areas whose quotas were oversubscribed during the previous fiscal year.

(b) Each oversubscribed area would receive a percentage of the number of visas in the pool equal to the percentage that its allotted quotas bears to the aggregate of all quota areas whose quotas were oversubscribed.

Existing law provides that "any increase in the number of minimum quota areas above 20 within the Asia-Pacific triangle shall result in a proportionate decrease in each minimum quota of such area in order that the sum total of all minimum quotas within the Asia-Pacific triangle shall not exceed 2,000." There are 20 minimum quota areas each with a quota of 100 or a total of 2,000.

4. The proposal (section 3) would delete entirely the present ceiling of 2,000 on the minimum quotas within the Asia-Pacific triangle.

Existing law does not adequately provide new political entities with an immigration quota of not less than the total of subquotas or minimum quotas previously comprising the area in which such political change occurs.

5. Under the proposal (section 3) provision would be made to assure new political entities a quota of not less than the total of subquotas or minimum quotas previously comprising the area.

REFUGEES

1. The proposal (section 4) defines "refugees" as including persons forced to flee from Communist territory or from a country in the Middle East because of persecution or fear of persecution. It also includes persons who are victims of war, political upheaval, or natural calamity who are unable to return to their former homes.

2. Under the proposal the President would be given the power to authorize by proclamation the parole by the Attorney General into the United States of "refugees" whenever he finds:

(a) That a situation has arisen which justifies it, and

(b) That it would be in the interests of the United States to do so.

3. Specific authority would be given the Attorney General to parole into the United States 10,000 "refugees" annually in the absence of any proclamation by the President.

4. The proposal (sec. 5) sets up a procedure for the adjustment of the immigration status of parolees to that of lawful permanent residents.

(a) The Attorney General would be authorized to adjust the status of refugees after 2 years residence if not contrary to the national interests;

(b) A report of the Attorney General's action would be submitted for congressional approval and unless disapproved refugee's immigration status would be adjusted.

OTHER CHANGES

Existing law makes no provision under which an Asian spouse may be given the benefit of the quota of an accompanying spouse or if the accompanying spouse is a nonquota immigrant (a native of a Western Hemisphere country) classification as a nonquota immigrant.

1. The proposal (sec. 6) would remove this inequity in existing law by granting to an Asian spouse the benefit of the quota of an accompanying spouse or permit the Asian spouse of a native of a Western Hemisphere country to be classified as a nonquota immigrant if accompanying or following to join such spouse.

Existing law requires information concerning "race and ethnic classification" to be furnished in applications for both immigrant and nonimmigrant visas.

2. The proposal (sec. 7) would eliminate this requirement of existing law by deleting the language requiring that information concerning "race and ethnic classification" be furnished. This language is not susceptible of definition and serves no useful purpose.

LEASING OF PORTION OF FORT CROWDER, MO.—CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R-I, Missouri.

Mr. DIRKSEN. Mr. President, I yield 10 minutes to the distinguished Senator from Michigan.

Mr. HART. Mr. President, I appreciate the fact that the Senator from Illinois has yielded to me at this time. Possibly I shall not take all the time he has allotted to me. Mr. President, I realize that one is now speaking under the notice that a motion to table the amendment offered by the distinguished Senator from Illinois [Mr. DOUGLAS] is just around the corner.

A week ago, and at some length, I attempted to outline the reasons which persuaded me that an enrollment officer, or registrar, was the most effective device available to us to meet the serious facts which have been reported to us as of last September by the President's Commission on Civil Rights.

Nothing which has been stated in the ensuing week has persuaded me that the enrollment officer approach, or the registrar approach, is not the best instrument. I would hope that reference would be made to my remarks of a week ago, beginning at page 5187 of the RECORD, for the specifics in support of this position.

Today I shall content myself to make two additional points. One of them is to make more specific the statement I made initially that the referee approach is guaranteed to delay and to discourage.

This is true whether it is a referee appointed to handle an emotionally charged question like enrolling a minority group, or a referee appointed to handle one of the more traditional functions of a Federal district court, to review a patent matter or an accounting proceeding.

Let me refer to a man who has stature in American jurisprudence. All would acknowledge Chief Justice Vanderbilt. Every member of the American bar has great respect for him. At pages 1240 and 1241 of his work, "Cases and Materials on Modern Procedure and Judicial Administration," published in 1952, Chief Justice Vanderbilt made this comment, which is most appropriate:

> There is one special cause of delay in getting cases on for trial that must be singled out for particular condemnation, the all-too-prevalent habit of sending matters to reference—
>
> A synonym for "referee."
>
> There is no more effective way of putting a case to sleep for an indefinite period than to permit it to go to a reference with a busy lawyer as referee. Only a drastic administrative rule, rigidly enforced, strictly limiting the matters in which a reference may be had and requiring weekly reports as to the progress of each reference will be put to rout the inveterate enemy of dispatch in the trial of cases.

Justice Vanderbilt there was describing the experience most lawyers have had with referees or masters. He was not discussing, as we are in Congress these days, a proposal to turn over the problem of enrolling thousands of a minority group who for 90 years have sought to be placed on the voting books. He was referring to the assignment of cases to referees as an inveterate enemy of dispatch, as it is engaged in, used, and experienced in the traditional function of a district court.

The proposal which is offered in the McCulloch amendment in its several forms is to respond to the President's Civil Rights Commission's report of thousands of persons not on the voting rolls by saying "Federal court referees will be appointed to handle the matter." This in the face of a hue and cry of several years' standing that the Federal courts are overcrowded, overloaded, and discouragingly congested. This in the face of the most recent statement of the Judicial Conference that additional judgeships over and above those already recommended are required in the Federal courts.

Let me cite areas where district court congestion is the greatest. One finds the "Field Study of the Operations of the U.S. Courts," a report to the Senate Committee on Appropriations of April 1959, as an answer to the question of where the delays are now. On pages 11 and 12 of this report is a table which shows the civil docket status in the various districts of the several Federal circuits. On page 12, one notes that whereas the average caseload per judge in the U.S. district courts is 259, the average load in the following districts is away above the national average:

The eastern district of North Carolina, the eastern district of South Carolina, the eastern district of Virginia, the northern district of Georgia, the eastern district of Louisiana, the western district of Louisiana, the southern district of Mississippi, and the eastern and western districts of Tennessee. In these districts the caseload per judge right now is much larger, much heavier, than the national average.

Certainly these are the districts in which referees could be expected to function, and in which the district courts could be expected to function in voting rights cases. The McCulloch approach proposes loading an already overburdened Federal district court with a job of enormous size.

On March 10, the Judicial Conference of the United States proposed additional judges as needed and as essential.

Where? Among other places, an additional judge is requested in the Court of Appeals for the Fourth Circuit, which includes North Carolina, South Carolina, and Virginia; an additional judgeship in the fifth circuit, which includes Alabama, Florida, Georgia, Mississippi, and Louisiana; additional district judges in the southern district of Florida and the middle district of Tennessee.

What is the pending recommendation of the Judicial Conference with respect to the need for additional Federal judges? Here it is, in part:

In the circuit courts of appeals, the Judicial Conference recommends two additional judgeships in the fourth circuit; two additional judgeships in the fifth circuit; additional judgeships in the middle, eastern, and western districts of North Carolina; an additional judgeship for the eastern district of South Carolina; two Federal judges for the southern district of Florida; two additional judges for the eastern district of Louisiana; one additional judge for the southern district of Mississippi; one additional judge for the eastern district of Tennessee; one additional judge for the middle district of Tennessee.

They recommend, further, that the existing temporary judge in the middle district of Georgia be made permanent.

This is the present state of the Federal court docket. The McCulloch referee approach would load into that already overburdened court system perhaps the most difficult assignment which has ever been proposed to be given to the Federal district courts, an assignment which, by all American tradition, is administrative and executive, not judicial. Referees would do this work. As one Federal district court has described it, a referee is a device which, it is common knowledge, greatly increases the cost of litigation, and delays and postpones the end of litigation.

It is for this practical reason that some Senators feel so strongly that an enrollment or a registrar approach is infinitely preferable to the referee approach. I know this is a matter of relatively small significance in the face of the enormous constitutional questions which have been injected into this debate; but it is a very practical and real problem. It is a reason which should not be overlooked when one is offered the proposition: Do you or do you not agree with the President's Civil Rights Commission that the answer to this enormous problem, a problem which has cried for solution for generations, is to be handled by an enrollment officer? Surely those of us who advance the proposal of an enrollment officer do so with knowledge of an enormously overburdened Federal court system, as it is now, and we ask that others recognize this condition, too.

Mr. DIRKSEN. Mr. President, I previously agreed to yield next to the Senator from New York [Mr. JAVITS]; and I now yield 20 minutes to him.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). The Senator from New York is recognized for 20 minutes.

Mr. JAVITS. First, Mr. President, I should like to pay tribute to my gallant friend, the Senator from Illinois [Mr. DOUGLAS], who has put forward this proposal, in which I have been privileged to join.

Regardless of what may be the vote on the motion to lay on the table, and no matter what may be the problem involved, and aside from the fact that a number of Members of the Senate are not present today, I believe it would have been shocking to both the country and to the Senate if we had not given careful consideration to the registrar alternative, which has been put forward under such splendid auspices, and is based on so much careful study, research, and findings of fact.

Mr. President, if I say nothing else this afternoon, I wish at least to state that I think my colleague, the Senator from Illinois, has continued to play his great role in this Chamber, for the cause here involved has, in the Senator from Illinois, a most eloquent friend who will fight for it almost to his last breath.

Mr. President, we are now dealing with a very key point in respect to the entire bill.

We have constantly been told that the moderate position dictates that the bill shall be a voting rights bill. But we already know that the bill will also include antibombing provisions; and I certainly expect that it will also include provisions which will deal with the children of military personnel; and I also hope the bill will include provisions in regard to school desegregation and provisions in regard to employment by those who have Government contracts. So, Mr. President, certainly the bill will not be confined to provisions dealing with voting rights.

However, if the main consideration is voting rights, then it seems to me that this afternoon we are discussing the very heart and core of the bill.

For myself, I believe we should retain the voting-referee provision; and I am able to join in supporting the pending registrar provision because it will not disturb the voting referee provision which is dealt with in another section of the bill.

All of us know that the voting referee provision is directed at a particular target—namely, a community which represents hard-core resistance to widespread voting, a community in which there needs to be present, right on the ground, an individual with authority, under the jurisdiction of the judge of a Federal court who has the power to punish for contempt if a judicial order is violated.

We also know the complexities and the difficulties involved in litigation.

My eloquent and distinguished friend, the Senator from Michigan [Mr. HART], has recently pointed out the problems involved because of the number of judges available and the complexity of litigation—all of which would make this approach slower, and certainly would make it difficult of application to the large numbers of persons who have been denied the right to vote.

So the registrar approach, which has been carefully thought through by the Civil Rights Commission, seems to me to be the optimum approach. As I have already stated, for the hard-core areas where great resistance is encountered, the voting referee provisions will also be needed as an alternative plan available to the Attorney General; but in order to assure the right to vote to the large numbers of persons who are being denied the right to vote, the registrar plan is, I believe, the proper one.

Mr. President, this remedy is designed to correct a very obvious wrong.

In the report of the Civil Rights Commission, we find, on page 134, that—

> Our investigations have revealed further that many Negro American citizens find it difficult, and often impossible, to vote.

And then the Commission says:

> The Commission finds that the lack of an affirmative duty to constitute boards of registrars, or failure to discharge or enforce such duty under State law, and the failure of such boards to function on particular occasion or for long periods of time, or to restrict periods of function to such limited periods of time as to make it impossible for most citizens to register, are devices by which the right to vote is denied to citizens of the United States by reason of their race or color.

And, finally, in recommending the appointment of registrars, the Commission recommends this remedy as being a means by which the large numbers of persons involved may be given the most expeditious opportunity and the fairest opportunity to register and to vote.

Mr. President, one of the most impressive aspects of the recommendation for the appointment of registrars is that, among all six of the members of the Commission, there was only one dissent, and it was by Commissioner Battle, formerly the Governor of Virginia. Not only did all three of the members who, roughly speaking, come from the North concur in the recommendation for the appointment of registrars, but so did Dean Robert G. Storey, of the Southern Methodist University Law School, and so also did Doyle E. Carlton, formerly the Governor of Florida.

When the report of the Civil Rights Commission was issued, its recommendation which was widely heralded and widely discussed throughout the country was the Commission's recommendation for the appointment of Federal voting registrars.

There was some dispute as to whether such a provision would be a proper and legal one and as to whether it would be constitutional. So the Senator from Illinois [Mr. DOUGLAS] and I caused that recommendation to be submitted to a group of law school professors at Yale University Law School and at the University of Pennsylvania Law School. Among those law-school professors are some of the most distinguished authorities on constitutional law. For example, we had the benefit of the views of Professor Pollak, of Yale University Law School, who is a very widely celebrated authority on constitutional law; and at the University of Pennsylvania Law School we had the benefit of the views and the judgment of Dean Jefferson B. Fordham, who also is a very well known authority on this subject. This group of law-school professors arrived at an opinion which has been widely circulated; and many Senators have stated

that, in their view, the double-barreled approach by means of the appointment of voting registrars as well as the appointment of Federal voting referees was, in their opinion, entirely legal, entirely constitutional, and constituted the optimum approach in dealing with this problem.

Here is their opinion as to why this is the most effective approach; and I shall read now from the objective, considered judgment of a group of highly respected law school professors at two of the outstanding law schools in the Nation:

It would seem clear that there are great advantages in an accommodation of the two plans which would empower the President and his assistants to use either or both approaches, as occasion demands. Legislation combining the proposals would permit the President to try, in the first instance, to ameliorate local discrimination in elections through the use of the swifter but more moderate registrar device. The referee plan could be brought into play if the registrar plan's criminal sanctions did not prove fully effective or if, as the Attorney General fears, the enrollment by the registrar of voters eligible only for Federal elections stimulates "Jim Crow" balloting.

I point out that in the pending amendment, State elections as well as Federal elections are covered; so in this instance we do not have the "Jim Crow" balloting problem.

Now I read the conclusion which was reached by these law school professors:

Thus, where the registrar plan worked smoothly and generated acceptance of Negro participation not merely in Federal elections but in the total political process, it would then be unnecessary to invoke the more drastic referee machinery. A two-phased approach of this kind seems an appropriate way of insuring that in our zeal to protect vital constitutional rights we do not too precipitately unsettle the Federal-State equilibrium.

Mr. President, I call that point particularly to the attention of the Senate, in order to show the solicitude which was exercised by those who reached that judgment upon this question, and to point out their belief that there should not be undue disturbance to the equilibrium between Federal and State relationships in this field.

Mr. President, the pending amendment, as proposed by the Senator from Illinois [Mr. DOUGLAS], not only carries out the recommendations of the Federal Civil Rights Commission—which, as I have said, were concurred in by two of three Southern members of the Commission—but also would make it more difficult to have Federal registrars appointed, because whereas the Federal Civil Rights Commission recommended that such action be taken upon application by nine persons who would execute sworn affidavits regarding the denial to them of the right to register or to vote on grounds of race or color, the pending amendment calls for not less than 50 persons from the same county to make such a request of the President. I respectfully submit that when we are dealing with the paucity of voting which exists in the counties to which this provision would apply, the provision for a petition signed by 50 persons from the county concerned will require a very large and representative sample of voters from that particular community.

Therefore, it seems to me that the Federal Civil Rights Commission has give us an optimum way by means of which thousands upon thousands of persons who now are denied the right to vote may be given the right to vote in the most convenient way and—as the Senator from Illinois has also pointed out—without interfering with the functioning of State registrars, wherever they are appointed and are functioning.

It is very clear that the Federal registrar appointed by the President will certainly have a right to act where the State registrars have either defaulted in their duty or have sought to frustrate the electoral process.

As to the question of constitutionality, Mr. President, it seems to me, insofar as the registrar proposal deals with Federal elections, that the question of constitutionality is completely set aside by the provision of the Constitution which vests in the Congress the right to establish the time, place, and manner of holding elections for Federal officials.

Let me direct attention to what has been pointed out time and again, but which constantly needs reiteration, that this has nothing to do with the qualification of individuals. Those qualifications remain to be established by the State law. But this has to do with the time, manner, and place of electing a Federal official. So the Congress could, under the Constitution, without any excuse, without needing the establishment of the fact that people have been discriminated against, or that there has been a pattern or practice of discrimination on account of race or color, take over, itself, the manner of holding elections for Federal officials. So that is one great part of the amendment.

The other part, as it relates to State elections, depends on the 15th amendment. The cases have held very clearly that the 15th amendment requires equal opportunity for voting, and therefore for registration, and it has also been applied to primary elections which relate directly to State elections. There is no question about it. Accordingly, to constantly define that power, Congress may determine who is to make the determination of fact which gives it the power to invoke the provisions of the 15th amendment.

If the President, therefore, finds, and there is a basis in fact for finding, that there is a pattern of discrimination, Congress may, as a matter of law, give the President the power to make that determination, and then to institute action, according to the law that Congress has passed, to see that the wrong is redressed in such a way as Congress prescribes.

Mr. President, there is nothing unusual about this. The books are full of cases in which the President may make a determination in matters of law and, having made such a determination, put into effect a remedy which has been provided for according to the laws passed by Congress.

If there was any question left about the fact that this is a perfectly constitutional grant of power on the part of Congress to the President, it was certainly settled by the case of the United States against Raines. In that case the court very clearly held that it is not necessary, in order to invoke congressional power, for every possible remedy provided by State law to be availed of, but if there were a denial or a frustration of the right which is guaranteed by the Constitution, under color of State law, at the lowest echelon in the State government, by the lowest ranking registrar, there could immediately be invoked the power and authority which the Congress may give to the Federal establishment by law. In that connection, I refer to the case of United States against Raines at page 7, which reads as follows:

And as to the application of the statute called for by the complaint—

Which in this case is the Civil Rights Act of 1957—

whatever precisely may be the reach of the 15th amendment, it is enough to say that the conduct charged—discrimination by State officials, within the course of their official duties, against the voting rights of U.S. citizens, on grounds of race or color—is certainly, as State action and the clearest form of it, subject to the ban of that amendment, and that legislation designed to deal with such discrimination is "appropriate legislation" under it. It makes no difference that the discrimination in question, if State action, is also violative of State law.

Then the Court goes on and says:

The argument is that the ultimate voice of the State has not spoken, since higher echelons of authority in the State might revise the appellees' action. It is, however, established as a fundamental proposition that every State official, high and low, is bound by the 14th and 15th amendments.

Then the Court cites a case and concludes as follows:

We think this Court has already made it clear that it follows from this that Congress has the power to provide for the correction of the constitutional violations of every such official without regard to the presence of other authority in the State that might possibly revise their actions.

In short, by way of summary, this is a perfectly constitutional devolution of power to the President, to be applied to both Federal and State elections. We have the opinion of outstanding law-school professors on that point. We have the findings of the Civil Rights Commission. And we have the latest case on the subject, United States against Raines. They all favor that view.

Second, for the thousands upon thousands of people who are not registered, the voting referee approach, although very good for the hard-core cases, is not adequate for the proper protection of the large numbers of those who need registrars. In short, they probably need the double-barreled plan of both registrars and referees; and therefore their problem may be more directly and more properly approached by means of both Federal registrars and referees.

Finally, it seems to me that if this is to be a voting rights bill, it should be one which has teeth in it and meat to it, and will get done the job that needs to be done in view of the very proper complaints which have been made. According to the findings of the Federal Civil

Rights Commission, there is an estimated number of 1,800,000 persons, largely Negroes, in the South, who could have an opportunity to vote and who could be added to the voting rolls, and who, in one way or another, have been frustrated, by situations in that area of the country, from exercising this elementary franchise.

Finally, there is the point that if the motion to table is defeated—and I shall certainly vote against the motion, and I hope the Senate will turn it down—then the Senate will have before it, not a single-barreled proposition of the referee plan, but the registrar proposal and the proposal for a Federal enrollment officer. The Senate will act, in that case, on both of those propositions, one of them applying to the great number of people who need registrars, and the other applying to the hard core cases, where there is tough resistance against the right of some to vote.

This is an effort to adopt the plan to which we wish to give effect. I think this proposal follows the plan. I hope the Senate will be given an opportunity, through failure of the motion to table, to vote on it.

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

Mr. JAVITS. I yield.

Mr. KEATING. I should like to ask my distinguished colleague a question. Suppose the motion to table were defeated and we had this proposal before us. Let us assume it later was carried. Would it then be the intention of my distinguished colleague from New York to offer the alternative proposal with the two-way street in it, which I much prefer to this one?

Mr. JAVITS. The steps are as follows, I think: If the Senate does not want the Federal registrar proposal, we shall then offer the proposal to which the Senator has referred. On the other hand, if the Senate wants the Federal registrar proposal, it would stand in the place of the enrollment officer proposal. I emphasize that the registrar proposal would be the double-barreled proposal, so far as I am concerned, to wit, the provision for the registrar and voting referee, and not merely the registrar.

Mr. KEATING. I agree with that. The provision for voting referees is in section 7 now. Is that correct?

Mr. JAVITS. That is correct.

Mr. KEATING. And this proposal does not affect that provision at all, does it?

Mr. JAVITS. Not at all.

Mr. KEATING. As between the plan for registrars alone and the double plan which is sponsored by my colleague from New York, I prefer that the Senate affirm the double plan. I think it is a preferable method of approaching this problem. I think anyone who feels that way is in somewhat of a quandary as to how he should vote on the motion to table at this time.

Mr. JAVITS. Since I feel as I do, that registrars and voting referees together represent the optimum plan, I hope very much those in a quandary may vote against the motion to table.

I thank my colleague.

Mr. KEATING. I thank my colleague.

Mr. DIRKSEN. Mr. President, in further pursuance of our understanding I should like to yield for a half minute to my distinguished friend from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, I thank the able and distinguished minority leader.

Mr. President, on Wednesday, March 16, 1960, the distinguished Governor of South Carolina, the Honorable E. F. Hollings, issued a statement in respect to President Eisenhower's statement regarding demonstrations by Negroes in the South. This is a very important statement and I think it would be helpful to the Members of the Senate if they would take the time to read this statement in full.

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

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

STATEMENT OF GOV. E. F. HOLLINGS, OF SOUTH CAROLINA, IN REPLY TO PRESIDENT EISENHOWER

COLUMBIA.—The full text of Governor Hollings' statement, in which he took issue with President Eisenhower's recommendation that biracial committees be appointed in southern communities, follows:

"I have the greatest respect for our President and know that he intended to be helpful by advocating biracial committees. However, this recommendation and some of his other comments are most harmful. To begin with the President is confused both as to the facts and the law.

"We indulged peaceful demonstrations as long as they remained peaceful and could be maintained peacefully. However, after 3 weeks of such incidents in numerous cities of South Carolina, it became perfectly obvious to everyone on the scene in South Carolina that things were getting out of hand. Demonstrators, even though they carried Bibles, were intent on being jailed and promoting violence, and observers were intent on their communities not being taken over by national antagonistic groups even under the guise of the Bible and the national anthem.

"As Governor, with positive and overwhelming proof of these conclusions, I could no longer concern myself only with constitutional guarantees of freedom of assembly and redress of grievances. I had to take cognizance of the explosive nature of these circumstances and assume my primary responsibility for maintaining the public peace.

GOVERNOR OF ALL

"These are facts. I realize fully that I am Governor of all the people of South Carolina, both white and Negro. I welcome suggestions from both. I know the value of maintaining friendly communications with both, and, again I commend the far majority of both white and colored for helping us maintain public peace in South Carolina. However, the issue is one of maintaining the public peace and not of establishing rights. One does not need a biracial committee or conference to determine the responsibility and authority of the Governor and peace officers of South Carolina to maintain the public peace, and we will have no such confusion over law and order in South Carolina.

"As to the law, under the Federal court decision of *Charles E. Williams* v. *Howard Johnson's Restaurant*, a store owner or restaurant operator has the constitutional right to serve whomever he pleases. According to the President's statement, then, he is mistaken as to the law. In accordance with the law, we have not dictated or suggested to any store owner whom he should serve or whom he should not serve. Rather we have sought his cooperation in affording him and his property police protection.

"Necessarily, when the President infers that—if such assemblies and demonstrations are orderly, he thought they fell within the area of constitutional rights, he did great damage to peace and good order in South Carolina. Up until now we have prevented violence in South Carolina and our warnings have been both to colored and white and demonstrators and spectators alike. The President and everyone should understand that the measures we have taken are to primarily protect the safety of the colored people and he ought not to enter into what he himself has termed 'a local matter for local authority.'

"We have tremendous respect between the colored and white people of South Carolina. Up until now we have maintained good communications. During the last few days I have conferred, and will continue to confer, with responsible white and Negro citizens to receive their counsel and cooperation. However, there is no trust in South Carolina for a biracial committee or conference. The white people don't trust such a committee, and the colored people don't trust such a committee. If I were to place together such citizens for a conference as the President suggests, the only sure result would be a complete repudiation of both white and colored citizens involved in such a conference. I would be taking good colored leaders who are helping us in South Carolina and ruining them. This I do not intend to do.

TROUBLE BREWED

"These recent incidents in the South point up our original concern that progress would be destroyed by force. Back in 1952, we told the Supreme Court that such forced commingling was explosive in nature and tended to provoke violence. Gunnar Myrdahl, a psychologist from Sweden, said he knew better and that all would be peace and harmony. Unfortunately, incidents over the South in the past few weeks prove conclusively that he was wrong. These incidents are explosive. If you can understand and appreciate this fact of life, you will realize these situations have moved from a consideration of rights to a consideration of maintaining peace and good order. No one should be mistaken about this. South Carolina will not tolerate public violence."

Mr. DIRKSEN. Mr. President, I hope I can complete my remarks in about 4 minutes. Then I shall offer a motion to lay on the table the so-called Douglas-Javits amendment which would amend section 3 of the so-called package.

In the package substitute section 3 relates to the preservation of voting records. The amendment would strike out and offer an amendment which deals with protection of the right to vote.

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

Mr. DIRKSEN. I yield.

Mr. DOUGLAS. If the Senator will look at the concluding section of our amendment, beginning on page 8, he will find that it retains the existing language which the Senator has in his proposal.

Mr. DIRKSEN. Yes.

Mr. DOUGLAS. So the amendment does not strike out the proposal of the Senator from Illinois, but adds to it.

Mr. DIRKSEN. I am sorry if I conveyed the impression that that was not taken care of later.

Mr. President, in rough compass this is what the amendment would do: First, it would make a general finding with respect to the denial of the right to vote. Second, it would provide for the employment of temporary registrars in any county under certain conditions, if there are enough people who would sign a petition with respect to the general denial of the right to register and to vote.

Mr. President, after such a petition has been filed the President would be empowered by Executive order to appoint the registrars, and in regard to the appointment he could appoint any employee or any Federal official, not necessarily in the county in which the petition with respect to the denial of the right to vote may have been filed.

One other thing is important. The voting registrars, as I read the amendment, would hold the authority for an indeterminate period of time. There is no cutoff provided. It might be an authority which would last for a long or a short time.

That is the essence of the proposal which is before us. My judgment is that there are two very obvious and sound defects, which are the reasons why I shall move to table the amendment.

First, the amendment applies to Federal, State, and local elections. The only authorities under which we operate, of course, are the 14th and 15th amendments to the Constitution. It seems to me that the amendment, at the State and local level, would actually displace the State machinery on a bare finding by the President of the United States.

I found further that, after the President makes such a finding on the basis of a petition signed by 50 aggrieved people, there is nothing in the amendment to provide a single opportunity for a State official to protest, to go into court, or to go into an administrative hearing.

Mr. President, I am willing to go pretty far in the field of civil rights, but I am not going to go quite that far, I can assure the Senate. I regard that as a major defect.

Second, I think the amendment has a tremendous enforcement weakness. The registrar, under given circumstances, can issue a certificate. The voter will then go to the polls, and perhaps the election official will say, "We will not recognize your certificate." So the person would be refused the right to vote. What would the man do?

We could resort to a criminal penalty, if we could get it, but it certainly would not cure the problem of obtaining for that man the right to vote.

Also, the amendment provides for appropriate court proceedings. The man can go to the precinct station, and can shake the certificate in the face of the judge and say, "Look; I have a certificate. Now you let me vote." For some reason or other he may not be permitted to vote. Then what can he do? The amendment says there shall be appropriate court proceedings by the Attorney General, and injunctive relief and otherwise will be provided. It is sought to help this poor fellow with a certificate.

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

Mr. DIRKSEN. Mr. President, I yield myself 2 additional minutes.

By that time, of course, we will have these men trotting back and forth between the court and the precinct, if the polling place stays open long enough. That approach, in my judgment, is an impractical one, to the point where it becomes a little absurd. I think this is a major enforcement weakness, for one thing.

It seems to me that there is another defect of going across the board, with no opportunity for a State official to have either a court or an administrative appeal if he so desires. Willing as I am to commit great powers to the President of the United States, even in regard to the issuance of an executive order, when that happens under these circumstances I still believe there has to be some review authority by way of protection.

In those circumstances, Mr. President, I for one could not accept this amendment, and I think the best way to deal with it at this time is to table it.

Mr. President, I move that the amendment be tabled.

Mr. JAVITS. Mr. President, before the Senator makes his motion to table, though I have a pretty good idea as to what will happen, I think the RECORD ought to be clear in regard to one point. It is not a fact that there will be no review. It is my considered judgment that the court will review the findings of the President in accordance with established law, and such a review could be obtained.

Mr. DIRKSEN. I could find nothing on page 1, and I could find nothing on page 2 or on page 3, to state that after the petition is lodged with the President and the order is issued a State official can get a court or administrative review, if a State official files a protest. I have not found such a provision.

Mr. President, I move that the pending amendment be tabled.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Illinois will state his inquiry.

Mr. JOHNSON of Texas. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. Yes.

Mr. DOUGLAS. Mr. President, is it in order to suggest the absence of a quorum at this time?

The PRESIDING OFFICER. Will the Senator repeat his question?

Mr. DOUGLAS. Is it in order to suggest the absence of a quorum?

The PRESIDING OFFICER. It is in order.

Mr. JOHNSON of Texas. I will say to the Senator that every office has been called.

Mr. DOUGLAS. Mr. President, I understand one or two of our colleagues have pressing engagements, so I shall not suggest the absence of a quorum.

Mr. DIRKSEN. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. DOUGLAS. Mr. President, may we have the question stated so that late comers may know precisely what is the question?

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the Douglas-Javits amendment to section 3 of the Dirksen amendment in the nature of a substitute.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG of Ohio (when his name was called). On this vote I have a pair with the junior Senator from Louisiana [Mr. LONG], who is temporarily absent. If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. CANNON. I have a pair with the Senator from West Virginia [Mr. RANDOLPH]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. CHURCH. On this vote I have a pair with the distinguished senior Senator from Pennsylvania [Mr. CLARK]. If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Indiana [Mr. HARTKE], the Senator from Louisiana [Mr. LONG], the Senator from Michigan [Mr. MCNAMARA], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], and the Senator from West Virginia [Mr. RANDOLPH] are necessarily absent.

On this vote, the Senator from Tennessee [Mr. GORE] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Oregon would vote "nay."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Connecticut would vote "nay," and the Senator from Arizona would vote "yea."

I further announce that, if present and voting, the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Michigan [Mr. MCNAMARA], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "nay."

I also announce that if present and voting the Senator from Tennessee [Mr. KEFAUVER] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from Colorado [Mr. ALLOTT], the Senator from Arizona [Mr. GOLDWATER], the Senator from Kentucky [Mr. MORTON], the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Massachusetts [Mr. SALTONSTALL] would vote "yea."

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Pennsylvania would vote "nay."

On this vote the Senator from Arizona [Mr. GOLDWATER] and the Senator from Connecticut [Mr. DODD] are paired. If present and voting the Senator from Arizona would vote "yea," and the Senator from Connecticut would vote "nay."

The result was announced—yeas 53, nays 24, as follows:

[No. 125]

YEAS—53

Aiken	Ellender	Monroney
Beall	Ervin	Mundt
Bennett	Fong	Murray
Bible	Frear	Prouty
Bridges	Fulbright	Robertson
Brunsdale	Green	Russell
Bush	Hayden	Schoeppel
Butler	Hickenlooper	Smathers
Byrd, Va.	Hill	Smith
Byrd, W. Va.	Holland	Sparkman
Carlson	Hruska	Stennis
Case, S. Dak.	Johnson, Tex.	Talmadge
Chavez	Johnston, S.C.	Thurmond
Cotton	Jordan	Wiley
Curtis	Kerr	Williams, Del.
Dirksen	McClellan	Yarborough
Dworshak	Mansfield	Young, N. Dak.
Eastland	Martin	

NAYS—24

Anderson	Hart	McCarthy
Bartlett	Hennings	McGee
Carroll	Jackson	Magnuson
Case, N.J.	Javits	Moss
Cooper	Keating	Muskie
Douglas	Kuchel	Pastore
Engle	Lausche	Proxmire
Gruening	Long, Hawaii	Symington

NOT VOTING—22

Allott	Hartke	O'Mahoney
Cannon	Humphrey	Randolph
Capehart	Kefauver	Saltonstall
Church	Kennedy	Scott
Clark	Long, La.	Williams, N.J.
Dodd	McNamara	Young, Ohio
Goldwater	Morse	
Gore	Morton	

So Mr. DIRKSEN's motion to lay on the table the amendment offered by Mr. DOUGLAS for himself and Mr. JAVITS was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the Senate agreed to the motion.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion of the Senator from Texas to table was agreed to.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it stand in adjournment until 12 o'clock on Monday next.

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

LEASING OF PORTION OF FORT CROWDER, MO.—CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools, R-I, Missouri.

Mr. JAVITS. Mr. President, I send to the desk an amendment to section 3 of the pending bill.

The PRESIDING OFFICER. The clerk will state the amendment.

Mr. JOHNSON of Texas. Mr. President, I should like to announce that so far as the leadership is concerned, there will be no more rollcall votes this evening.

Mr. JAVITS. Mr. President, I ask unanimous consent that the reading of the amendment may be dispensed with because the amendment was read only yesterday. It is the amendment which was submitted by the Senator from Pennsylvania [Mr. CLARK]. It is the amendment identified as "3-11-60—B."

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

Beginning on page 19, line 23, strike out section 7 and insert in lieu thereof the following:

"SEC. 7. (a) The Congress has heretofore expressed, by the creation of the Commission on Civil Rights, its concern at the continuing disenfranchisement of qualified voters because of their race or color. The Commission has found that under color of law or by State action substantial numbers of qualified voters are being denied the right to register and vote in elections because of their race or color. The Congress hereby determines that the continuing denial of rights secured by the fourteenth and fifteenth amendments to the Constitution of the United States requires the exercise of the congressional authority provided under this section.

"APPOINTMENT OF VOTING REFEREES BY THE DISTRICT COURTS OF THE UNITED STATES

"(b)(1) In any proceeding instituted in any district court of the United States pursuant to section 2004(c) of the Revised Statutes, as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637; 42 U.S.C. 1971(c)); pursuant to subsection (c) of this section; or pursuant to any other law of the United States, in the event that the court finds that under color of law or by State action any person or persons have been deprived on account of race or color of the right to register or to vote at any election, the court shall upon request of the Attorney General or any plaintiff make a finding whether such deprivation is pursuant to a pattern or practice. If the court finds such pattern or practice, any person of such race or color residing within the affected area shall, for one year and thereafter until the court subsequently finds that such a pattern or practice has ceased, be entitled, upon his application therefor, and subject to the provisions of this subsection, to an order declaring him qualified to vote, upon proof that he is qualified under State law to vote. Any such application shall be heard within ten days of its filing.

"(2) An order issued pursuant to paragraph (1) of this subsection shall become effective twenty days after the issuance of such order and notice thereof to the Governor of the State, unless any person named therein shall have been registered by appropriate State officials in the intervening period, in which case the order may be vacated on application duly made as to the registration of such person. When such order shall become effective, it shall apply to any election which is held within the longest period for which such applicant could have been registered or otherwise qualified under State law and at which the applicant's qualifications would under State law entitle him to vote. Except as provided in this paragraph, the execution of any order disposing of such applications shall not be stayed if the effect of such stay would be to delay the effectiveness of the order beyond the date of any election at which the applicant would otherwise be enabled to vote.

"(3) Notwithstanding any inconsistent provision of State law or the action of any State officer or court, an applicant so declared qualified to vote shall be permitted to vote in any such election. The Attorney General shall cause to be transmitted certified copies of such order to the appropriate election officers. The refusal by any such officer with knowledge of such order to permit any person so declared qualified to vote, to vote at an appropriate election shall constitute contempt of court.

"(4) The court may appoint one or more persons, to be known as voting referees, to serve for such period as the courts shall determine, to receive such applications and to take evidence and report to the court findings as to whether or not any such applicant is qualified under State law to register and/vote at any election or elections.

"(5) In a proceeding before a voting referee, the applicant shall be heard ex parte. His statement under oath shall be prima facie evidence as to his age and residence. Where proof of literacy or an understanding of other subjects is required by valid provisions of State law, the answer of the applicant, if written, shall be included in such report to the court; if oral, it shall be taken down stenographically and a transcription included in such report to the court.

"(6) Upon receipt of such report, the court shall cause the Attorney General to transmit a copy thereof to the State attorney general and to each party to such proceedings together with an order to show cause within ten days, or such shorter time as the court may fix, why an order of the court should not be entered in accordance with such report. Upon the expiration of such period, such order shall be entered unless prior to that time there has been filed with the court and served upon all parties a statement of exceptions to such report or the applicants have been registered and will be entitled to vote pursuant to State law. Exceptions as to matters of fact shall be considered only if supported by duly verified copy of a public record or by affidavit of persons having personal knowledge of such facts; those relating to matters of law shall be supported by an appropriate memorandum of law. The issues of fact and law raised by such exceptions shall be determined by the court, or, if the due and speedy administration of justice requires, they may be referred to the voting referee to determine in accordance with procedures prescribed by the court. A hearing as to an issue of fact shall be held only in the event that the public record or affidavit in support of the exception discloses the existence of a genuine issue of material fact. The applicant's literacy and understanding of other subjects shall be determined solely on the basis of answers included in the report of the voting referee.

"(7) The court, or at its direction the voting referee, shall issue to each applicant so declared qualified a certificate identifying the holder thereof as a person so qualified.

"(8) The court may authorize such referee or such other person or persons as it may designate (1) to attend at any time and place for holding any election and to report whether any person declared qualified to vote has been denied the right to vote, and (2) to attend at any time and place for other action, including the counting and tabulation of votes, relating to such election necessary to make effective the vote of such a person and to report to the court any action or failure to act which would make such vote ineffective.

"(9) Any voting referee appointed by the court pursuant to this subsection shall to the extent not inconsistent herewith have all the powers conferred upon a master by rule 53(C) of the Federal Rules of Civil Procedure. The compensation to be allowed to any persons appointed by the court pursuant to this subsection shall be fixed by the court and shall be payable by the United States.

"(10) The court shall have authority to make an order entitling an applicant to vote provisionally pending final determination of any exception and to take any other action appropriate or necessary to carry out the provisions of this subsection and to enforce its decrees, and this subsection shall in no way be construed as a limitation upon the existing powers of the court.

"APPOINTMENT OF FEDERAL ENROLLMENT OFFICERS BY THE PRESIDENT OF THE UNITED STATES

"(c)(1) Whenever the Attorney General shall notify the President of the United States of any affirmative finding of deprivation on account of race or color of registration or voting rights pursuant to a pattern or practice rendered by a District Court of the United States pursuant to subsection (b) the President may thereupon issue an Executive order designating one or more temporary Federal Enrollment Officers from among officers or employees of the United States who are qualified voters within such district, or if there be no such qualified officer or employee, from among officers or employees of the United States living in or near such registration district, but within the same State. A copy of such Executive order shall be delivered to the Governor of the State concerned, and shall become effective twenty days after such delivery unless the President shall determine that appropriate remedial action has been taken in the intervening period. Any such temporary Federal Enrollment Officer shall serve until such time as the President determines that there is no further need for such Enrollment Officer. An individual who is appointed a Federal Enrollment Officer shall perform the duties required by this section until such time as he is relieved of such duties by the President.

"(2) The Federal Enrollment Officer for any registration district shall accept enrollment applications from any persons living in such registration district who are of the race or color as to which a finding has been rendered as described in subsection (b). Any such applicants whom he finds to meet the qualifications for voters under the law of the State wherein such registration district is situated shall be enrolled by him as qualified to vote in all elections held in such district in like manner and for like periods as prescribed for persons registered under State law, and shall receive from him certificates of enrollment. The Federal Enrollment Officer shall, from time to time, transmit to the proper State and local officials all information necessary to identify the persons who have been enrolled by him.

"(3) Each qualified voter who is enrolled pursuant to this subsection shall have the right to vote, and to have such vote counted, in any election held in his registration district subject to the provisions of paragraph (4) of this subsection.

"(4) Nothing contained in this subsection shall be construed to deny to appropriate State officials or other persons having standing under State law the right to challenge the determination of State registration or election officials that another person is qualified to vote or the right at the time of elections, to challenge the eligibility to vote of persons enrolled hereunder. Whenever such a challenge is made, however, the enrollee shall be permitted to cast his vote and have it counted, but it shall be preserved subject to a determination of the validity of the challenge in any appropriate action brought in the United States district court having jurisdiction over the registration district in which the challenge is made. In the event the challenge is sustained the vote shall be disregarded in determining the result of the election. Any person denied registration by a Federal Enrollment Officer may challenge such determination by filing suit in the United States district court for the district in which the registration district is located, against such Federal Enrollment Officer. In any suit under the provisions of this paragraph, the determination of the Federal Enrollment Officer with respect to such registration shall not be stayed pending the final decision of the district court, and any such decision, and appropriate appeals therefrom, shall be determined by the courts in the most expeditious manner, giving due consideration to the time of the next ensuing election. The procedure set forth in this paragraph shall be the exclusive method for challenging the qualifications of a person to whom a certificate has been issued by a Federal Enrollment Officer.

"(5) Any individual who is enrolled under this subsection by a Federal Enrollment Officer shall have the right to cast his vote and have such vote counted in any election, and any election official or other person who willfully denies him such right or who willfully interferes by threats or force, or otherwise willfully prevents, obstructs, impedes or who willfully endeavors to prevent, obstruct, impede, or interefere with such right, shall be fined not more than $1,000, or imprisoned not longer than six months, or both.

"(6) Federal Enrollment Officers shall determine whether persons enrolled under this subsection are afforded the right to vote and to have their votes fairly counted. For this purpose each such officer shall be authorized to attend at any election held within his registration district to inspect the taking of the vote and the counting thereof. Should any person enrolled under this subsection be denied the right to cast his vote or to have his vote counted the Federal Enrollment Officer shall forthwith notify the Attorney General.

"(7) The provisions of this subsection shall be enforcible by appropriate civil and equitable proceedings instituted in the district court of the United States within the jurisdiction of which such registration district is located, by the Attorney General of the United States for and in the name of the United States, or by any individual whose rights under this subsection shall have been denied or interfered with, and the court may grant such permanent or temporary injunction, restraining order or other order as it may deem appropriate. Any proceeding brought under the provisions of this section shall be subject to the provisions of part V of the Civil Rights Act of 1957.

"(d) In any action, suit or proceeding in a court of the United States to which the United States is not a party, wherein any person alleges on oath or affirmation that he has been deprived on account of race or color of the right to register or to vote at any election, the court shall certify such fact to the Attorney General, and shall permit the United States to intervene as a party for presentation of evidence, if evidence is otherwise admissible in the case, and for argument on the question of whether any person or persons have been deprived on account of race or color of the right to register or vote at any election, and to recommend to the court the relief to be granted. The United States shall, subject to the applicable provisions of law, have all the rights of a party, including those provided for in subsection (b) of this section, and be subject to all the liabilities of a party as to court costs to the extent necessary for proper presentation of the facts and determination of the issues.

"(e) In any case where a voting referee has been appointed by a district court under the provisions of subsection (b) of this section for an area which is a registration district or a part thereof for which a Federal Enrollment Officer has been designated by the President of the United States under the provisions of subsection (c) of this section, the decision of such referee as to whether an applicant possesses the voting qualifications requisite under State law shall, when accepted by the district court, supersede any inconsistent determination by the Federal Enrollment Officer. Subject to this provision, neither subsection (b) nor subsection (c) of this section shall supersede or affect the other. The President of the United States shall, to the extent necessary, direct any Federal Enrollment Officer appointed for any registration district to coordinate his operations with those of any voting referee appointed for the same area or any part thereof.

"'(f) Section 2004(c) of the Revised Statutes, as amended, is amended by adding at the end thereof the following new sentence: "Whenever, in a proceeding instituted under this subsection, any official of a State or subdivision thereof is alleged to have committed any act or practice constituting a deprivation of any right or privilege secured by subsection (a), the act or practice shall also be deemed that of the State and the State may be joined as a party defendant and, if, prior to the institution of such proceeding, such official has resigned or has been relieved of his office and no successor has assumed such office, the proceeding may be instituted against the State.'

"(g) For the purposes of this section—

"(1) The term 'election' means any general or special election held in any State for the purpose of electing any candidate to any elective office and any primary election held in any State for the purpose of selecting any candidate for any elective office.

"(2) The term 'registration district' means an area in a State coterminus with a district established by State law for which a Member of the House of Representatives of the United States is elected.

"(3) The term 'vote' includes all action necessary to make a vote effective including, but not limited to, registration or other action required by State law prerequisite to voting, casting a ballot, and having such ballot counted and included in the appropriate totals of votes cast with respect to candidates for public office and propositions for which votes are received in an election.

"(4) The term 'affected area' means any subdivision of the State in which the laws of the State relating to voting are or have been to any extent administered by a person found in the proceeding to have under color of law or by State action deprived any person or persons on account of race or color of the right to register or vote at any election.

"(5) The term 'qualified under State law' means qualified according to the laws, customs, or usages of the State, and shall not, in any event, imply qualifications more stringent than those used by the persons found in the proceeding to have under color of law or by State action deprived any person or persons on account of race or color of the right to register or vote at any election in qualifying persons other than those of the race or color against which the pattern or practice of discrimination was found to exist."

(h) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this section.

(i) No injunctive or other civil relief under the provisions of this section shall be denied on the grounds that the acts complained of are a crime, nor shall the provisions of this section be deemed to repeal or amend any other provisions of law providing for alternative relief or penalties under such circumstances.

(j) If any provision of this section or the application of such provision to any person or circumstance is held invalid, the remainder of this section or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that I may be added as a cosponsor of the amendment.

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

Mr. JAVITS. Mr. President, I do not intend to detain the Senate this evening at all. I understand that the desire is to adjourn promptly.

I can explain the situation in 1 minute, if the Senators will permit me to do so and remain to hear me.

The amendment which I have sent to the desk I have sent up in fairness to the position of those of us who have worked this matter out as a compromise basis between the proregistrar people and the provoting referee people. It was worked out by three Senators who are lawyers, on each side. The Senator from Pennsylvania [Mr. CLARK] submitted it yesterday, and then decided to allow the Senator from Illinois [Mr. DOUGLAS] to press the registrar proposal, and withdrew it.

I am submitting it today in the absence of the Senator from Pennsylvania, because he and I are cosponsors of the amendment. When he arrives here on Monday, we will have a reasonable chance to consider the amendment, and at that time he will take up the burden of the argument itself, as will I also, as a cosponsor of the amendment.

I wished to make the point clear that I am acting today only out of courtesy and convenience to the Senator from Pennsylvania [Mr. CLARK].

I should also like to have Senators note that this amendment has a rather considerable list of sponsors. Aside from the Senator from Pennsylvania [Mr. CLARK] and myself, and the Senator from South Dakota [Mr. CASE], who has just added his name, the cosponsors are Senators HUMPHREY, AIKEN, BARTLETT, CASE of New Jersey, MORSE, KUCHEL, PROXMIRE, MCNAMARA, WILLIAMS of New Jersey, and SCOTT.

In short, this is an honorable and studied effort to deal with a problem which faces us in the Senate and is a solution which we believe should commend itself to a majority of the Members of the Senate. We shall press it with great seriousness, and shall do our utmost to explain in detail why we believe it is an effective way in which to accomplish the voting result which I believe so many Senators seek.

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

Mr. JAVITS. I yield.

Mr. RUSSELL. I would certainly not wish to impugn the honor or intent of the sponsors of the amendment, but I am interested in knowing just which amendment we are now discussing. Will the Senator identify it, so that I may pick it out of this mass of amendments I have on my desk?

Mr. JAVITS. I shall be glad to. It is identified as "3-11-60—B."

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

Mr. JAVITS. I am trying to answer the question of the Senator from Georgia. It is "3-11-60—B." It shows the Senator from Pennsylvania [Mr. CLARK] as the principal sponsor. To the amendment there has been added the text of what is now section 3 of the Dirksen substitute.

Mr. RUSSELL. In other words, the Senator is adding this language to the Dirksen substitute. I thought the Senator was offering it to section 3 of the bill.

Mr. JAVITS. I am. In view of the fact that it is offered as a substitute amendment, it is added to the present text of section 3, so that the idea of a dual Federal enrollment officer and voting referee bill is added to the text.

Mr. RUSSELL. The enrollment officer and referee would be one and the same person.

Mr. JAVITS. Not necessarily. I will explain that in detail. The only reason why I have asked that the amendment be not read at this time was that it was read in detail yesterday and was printed in yesterday's RECORD. Therefore, I took the liberty of asking that we not take the time of the Senate to read the amendment this evening.

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

Mr. JAVITS. I yield.

Mr. HOLLAND. Is this not the same amendment which was offered by the distinguished Senator from Pennsylvania [Mr. CLARK] yesterday and debated at length and then withdrawn?

Mr. JAVITS. It is exactly the same amendment. I would not say it was debated at length. The Senator from Pennsylvania spoke to it and then decided to yield an opportunity for the consideration of the registrar proposal of the Senator from Illinois [Mr. DOUGLAS].

I should like to inquire of the leadership, because I do not believe it would be fruitful to discuss this amendment tonight, how late the leadership desires to keep us in session this evening.

Mr. DIRKSEN. I hope we can adjourn right now, speaking for myself.

Mr. MANSFIELD. I second that idea.

Mr. JAVITS. I yield the floor.

ADJOURNMENT TO MONDAY

Mr. DIRKSEN. Mr. President, I move that, under the order previously entered, the Senate now adjourn until noon on Monday.

The motion was agreed to; and (at 5 o'clock and 50 minutes p.m.) the Senate adjourned, under the order previously entered, until Monday, March 21, 1960, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 18, 1960:

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. John Charles Hayden, O18174, U.S. Army.

Brig. Gen. Stephen Read Hanmer, O18348, U.S. Army.

Brig. Gen. Tom Robert Stoughton, O18156, U.S. Army.

Brig. Gen. John Archibald Barclay, O18420, U.S. Army.

Brig. Gen. Creighton Williams Abrams, Jr., O20296, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Jean Evans Engler, O19198, Army of the United States (colonel, U.S. Army).

Brig. Gen. Daniel Aloysius O'Connor, O29454, U.S. Army.

Brig. Gen. Hiram Dudley Ives, O29509, U.S. Army.

Brig. Gen. Richard Collins, O29375, Army of the United States (colonel, U.S. Army).

To be brigadier generals

Col. Vernon Price Mock, O19906, Army of the United States (lieutenant colonel, U.S. Army).

Col. Walter Brown Richardson, O30597, Army of the United States (lieutenant colonel, U.S. Army).

Col. Merrill LeRoy Tribe, O42374, U.S. Army.

Col. John DuVal Stevens, O19414, U.S. Army.

Col. Harry Jacob Lemley, Jr., O19756, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Frederick Leonard, Jr., O19829, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Carl Garrison, O30144, Army of the United States (lieutenant colonel, U.S. Army).

Col. Claire Elwood Hutchin, Jr., O21092, Army of the United States (lieutenant colonel, U.S. Army).

Col. Duncan Hallock, O18960, U.S. Army.

Col. Joseph Rieber Russ, O19860, Army of the United States (lieutenant colonel, U.S. Army).

Col. Harry Herndon Critz, O19786, Army of the United States (lieutenant colonel, U.S. Army).

Col. Lester Lewes Wheeler, O19951, Army of the United States (lieutenant colonel, U.S. Army).

Col. Durward Ellsworth Breakefield, O19781, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Benton Neely, O19114, U.S. Army.

Col. Melvin Delos Losey, O42235, U.S. Army.

Col. Julian Alexander Wilson, O30359, U.S. Army.

Col. Richard Martin Hurst, O30191, U.S. Army.

Col. Hamilton Austin Twitchell, O19843, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Stafford Eckhardt, O19766, Army of the United States (lieutenant colonel, U.S. Army).

Col. Hugh McClellan Exton, O19780, Army of the United States (lieutenant colonel, U.S. Army).

Col. Ralph Edward Haines, Jr., O19849, Army of the United States (lieutenant colonel, U.S. Army).

Col. Francis Mark McGoldrick, O19857, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Ruhlen, O19733, Army of the United States (lieutenant colonel, U.S. Army).

Col. Frank Thomas Mildren, O21992, Army of the United States (lieutenant colonel, U.S. Army).

Col. Frederick Carlton Weyand, O33736, Army of the United States (major, U.S. Army).

Col. James Bowdoin Stapleton, O19656, Medical Corps, U.S. Army.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 18, 1960:

UNITED NATIONS

Thomas C. Mann, of Texas, to be the representative of the United States of America to the 16th session of the Economic Commission for Asia and the Far East of the Economic and Social Council of the United Nations.

ATOMIC ENERGY COMMISSION

Robert E. Wilson, of Illinois, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1960.

Robert E. Wilson, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1965.

DEPARTMENT OF STATE

COUNSELOR OF THE DEPARTMENT OF STATE

Theodore C. Achilles, of the District of Columbia, to be Counselor of the Department of State

U.S. ADVISORY COMMISSION ON INFORMATION

Sigurd S. Larmon, of New York, to be a member of the U.S. Advisory Commission on Information for a term of 3 years expiring January 27, 1963, and until his successor has been appointed and qualified.

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY

Selden Chapin, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

DIPLOMATIC AND FOREIGN SERVICE

The following-named person for appointment as indicated:

Lyndall G. Beamer, of Illinois, to be a Foreign Service officer of class 8, vice consul of career, and secretary in the diplomatic service of the United States of America.

The following-named Foreign Service officers for promotion from class 2 to class 1:

Ralph J. Blake, of Oregon.
James E. Brown, Jr., of Pennsylvania.
Joseph B. Costanzo, of New Jersey.
H. Francis Cunningham, Jr., of Nebraska.
Olcott H. Deming, of Connecticut.
Andrew G. Lynch, of New York.
Lionel M. Summers, of the District of Columbia.
Gerald Warner, of Massachusetts.
Barr V. Washburn, of Utah.

To be class 1 and to be also consul general of the United States of America

Patten D. Allen, of New York.
Norbert L. Anschuetz, of Maryland.
Miss Ruth Bacon, of Massachusetts.
Milton Barall, of New York.
J. Paul Barringer, of Pennsylvania.
Wymberley DeR. Coerr, of Connecticut.
Earl T. Crain, of Virginia.
Robert H. S. Eakens, of Texas.
John W. Evans, of the District of Columbia.
William A. Fowler, of Washington.
Eugene A. Gilmore, Jr., of Nebraska.
Sam P. Gilstrap, of Oklahoma.
John Goodyear, of New York.
Marshall Green, of Massachusetts.
Wesley C. Haraldson, of Virginia.
Ralph Hilton, of Texas.
Robert G. Hooker, Jr., of California.
Raymond G. Leddy, of New York.
Roy M. Melbourne, of Virginia.
Frederick T. Merrill, of the District of Columbia.
Armin H. Meyer, of Illinois.
John Ordway, of the District of Columbia.
Walter A. Radius, of Virginia.
Milton C. Rewinkel, of Minnesota.
Rufus Burr Smith, of Montana.
Charles Nelson Spinks, of California.
C. Allan Stewart, of Arizona.
William W. Walker, of North Carolina.
George Lybrook West, Jr., of California.
William A. Wieland, of New York.

The following-named Foreign Service officers for promotion from class 3 to class 2:

Kenneth B. Atkinson, of Virginia.
Taylor O. Belcher, of New York.
Donald C. Bergus, of Maryland.
Lee B. Blanchard, of Oklahoma.
Louis C. Boochever, of Maryland.
Howard Brandon, of Georgia.
John L. Brown, of Massachusetts.
Stanley S. Carpenter, of Massachusetts.
Albert E. Carter, of Tennessee.
Clyde L. Clark, of Iowa.
Otho T. Colclough, of North Carolina.
William B. Connett, Jr., of the District of Columbia.
Roy T. Davis, Jr., of Maryland.
Donald A. Dumont, of New York.
William B. Dunham, of Virginia.
Robert A. Fearey, of the District of Columbia.
Seymour M. Finger, of New York.
Richard B. Finn, of New York.
Edmund E. Getzin, of New York.
Joseph Godson, of New York.
Leo M. Goodman, of New York.
Windsor G. Hackler, of Nebraska.
Theo E. Hall, of Virginia.
Paul W. Hallman, of Virginia.
Norman B. Hannah, of Illinois.
John Hay, of Virginia.
Alton W. Hemba, of Mississippi.
David H. Henry 2d, of New York.
Jack A. Herfurt, of California.
William K. Hitchcock, of Virginia.
A. Guy Hope, of Virginia.
Albert E. Irving, of Maryland.
Frederick Irving, of Rhode Island.
William G. Jones, of Maryland.
John Keppel, of the District of Columbia.
Alexander F. Kiefer, of New York.
Clinton E. Knox, of Maryland.
Max V. Krebs, of California.
John A. Lacey, of Ohio.
Edward T. Lampson, of Connecticut.
Guy A. Lee, of Maryland.
Jack W. Lydman, of New York.
Eugene V. McAuliffe, of Massachusetts.
James A. McDevitt, of Illinois.
Adrian T. Middleton, of Texas.
George T. Moody, of Maryland.
George S. Newman, of New York.
Dana Orwick, of Ohio.
Albert Post, of the District of Columbia.
Donald L. Ranard, of Vermont.
Alfred Reifman, of Maryland.
Idar Rimestad, of North Dakota.
Edward F. Rivinus, Jr., of Pennsylvania.
Robert Rossow, Jr., of Indiana.
M. Robert Rutherford, of Montana.
Edward L. Smith, of Arkansas.
John L. Stegmaier, of Massachusetts.
John H. Stutesman, Jr., of New Jersey.
Charles Wilson Thomas, of Utah.
Miss Margaret Joy Tibbetts, of Maine.
Richard W. Tims, of Maryland.
S. Roger Tyler, Jr., of West Virginia.
Sheldon B. Vance, of Minnesota.
William L. Wight, Jr., of Virginia.
Joseph O. Zurhellen, Jr., of New York.

The following-named Foreign Service officers for promotion from class 4 to class 3:

Rodger C. Abraham, of Connecticut.
William C. Anderson, of Indiana.
John A. Armitage, of Tennessee.
Laurin B. Askew, of Tennessee.
John R. Barrow, of California.
Chester R. Beaman, of Indiana.
Frederic H. Behr, of New Jersey.
Miss Elizabeth Ann Brown, of Oregon.
Emerson M. Brown, of Michigan.
Stephen J. Campbell, of California.
Allan Chase, of Virginia.
Dennis A. Collins, of Ohio.
Stephen A. Comiskey, of Colorado.
Douglas W. Coster, of New York.
Leonard R. Cowles, of Florida.
Oliver S. Crosby, of Washington.
David C. Cuthell, of Connecticut.
Robert W. Dean, of Illinois.
Thomas J. Duffield, of Massachusetts.
William R. Duggan, of Colorado.
Lester E. Edmond, of Maryland.
David H. Ernst, of Massachusetts.
Charles C. Finch, of Kansas.
Miss Edelen Fogarty, of New York.
David L. Gamon, of California.
Edwin J. Garrity, of Virginia.
Scott George, of Kentucky.
Charles Gilbert, of New York.
William Giloane, of Maryland.
John K. Hagemann, of Maryland.
Philip E. Haring, of Pennsylvania.
Thomas R. Hodet, of Connecticut.
Adolf B. Horn, Jr., of the District of Columbia.
Alan G. James, of the District of Columbia.
Walter E. Jenkins, Jr., of Texas.
Jack R. Johnstone, of Washington.
Harold G. Josif, of Ohio.
Morris Kaufman, of New York.
William M. Kerrigan, of Ohio.
Thomas D. Kingsley, of Maryland.
Northrop H. Kirk, of California.
David Klein, of Kansas.
Francis X. Lambert, of Massachusetts.
Jerome B. Lavallee, of Massachusetts.
Frederick D. Leatherman, of Ohio.
Armistead M. Lee, of Vermont.
W. J. Lehmann, of the District of Columbia.
James F. Leonard, Jr., of Pennsylvania.
Guy O. Long, of Pennsylvania.
Albert K. Ludy, Jr., of Arizona.
Frederic K. Lundy, Jr., of Pennsylvania.
Dayton S. Mak, of New Mexico.
David J. S. Manbey, of California.
James H. McFarland, Jr., of Michigan.
Clarence J. McIntosh, of Florida.
Everett K. Melby, of Illinois.
John E. Mellor, of Connecticut.
Bruce H. Millen, of Louisiana.
George Moffit, Jr., of Connecticut.
Neil H. Muhonen, of Virginia.
George F. Muller, of Maryland.
James F. O'Connor, Jr., of New York.
John G. Oliver, of Texas.
Miss Mary S. Olmsted, of New York.
Melville S. Osborne, of Florida.
James P. Parker, of Connecticut.
Robert Person, of Virginia.
Robert M. Phillips, of California.
David Post, of Pennsylvania.
Sandy MacGregor Pringle, of New York.
Vladimir P. Prokofieff, of Virginia.
Normand W. Redden, of New York.
Robert J. Redington, of Connecticut.
Jordan T. Rogers, of South Carolina.
Morris Rothenberg, of Maryland.
J. Phillip Rourk, of California.
William T. Sandalls, of Connecticut.
Dwight E. Scarbrough, of Minnesota.
Robert R. Schott, of Oregon.
George W. Skora, of Arizona.
Walter W. Sohl, of Illinois.

Albert W. Stoffel, of New York.
William N. Stokes, of North Carolina.
William H. Sullivan, of Rhode Island.
Harrison M. Symmes, of North Carolina.
M. Gordan Tiger, of Virginia.
Francis T. Underhill, Jr., of New Jersey.
Christopher Van Hollen, of the District of Columbia.
Hendrik van Oss, of New Jersey.
Bertus H. Wabeke, of Massachusetts.
Milton C. Walstrom, of Hawaii.
Wayland S. Waters, of Michigan.
Harry J. Wetzork, of Pennsylvania.
Louis A. Wiesner, of New Hampshire.
Miss Jean M. Wilkowski, of Florida.
William H. Witt, of South Carolina.
Chalmers B. Wood, of Virginia.
Parker D. Wyman, of Illinois.

The following-named Foreign Service officers for promotion from class 5 to class 4:

Miss Hilda M. Anderson, of Maryland.
Daniel N. Arzac, Jr., of California.
Robert J. Ballantyne, of New Jersey.
John H. Barber, of California.
George M. Barbis, of California.
Robert E. Barbour, of Tennessee.
St. John Bargas, of Louisiana.
Robert S. Barrett IV, of Virginia.
William R. Beckett, of Michigan.
Norman J. Bentley, of California.
David B. Bolen, of Colorado.
Lewis W. Bowden, of the District of Columbia.
Mrs. Mildred L. Brockdorff, of Maryland.
John A. Brogan III, of New York.
Jack B. Button, of Kansas.
William C. Canup, of Michigan.
Charles C. Carson, of the District of Columbia.
Peter R. Chase, of Massachusetts.
Willis B. Collins, Jr., of Alabama.
William F. Courtney, of Michigan.
Miss Virginia I. Cullen, of Pennsylvania.
Joseph H. Cunningham, of Nebraska.
Frank A. Davis, of Ohio.
David Dean, of Florida.
Francois M. Dickman, of Wyoming.
Arthur R. Dornheim, of Maryland.
Stephen Duncan-Peters, of New York.
William L. Eagleton, Jr., of Illinois.
Virgil M. Elliott, of Florida.
George A. Ellsworth, of Georgia.
Lawrence B. Elsbernd, of North Dakota.
Elden B. Erickson, of Kansas.
Guy Ferri, of Pennsylvania.
Thomas M. Gaffney, of Massachusetts.
Miss Elizabeth G. Gallagher, of Pennsylvania.
Millard L. Gallop, of Virginia.
Samuel R. Gammon III, of Texas.
John L. Gawf, of Colorado.
Richard D. Geppert, of New Jersey.
Loren L. Goldman, of Maryland.
H. Kent Goodspeed, of California.
Malcolm P. Hallam, of South Dakota.
Miss Betty R. Hanes, of Ohio.
William N. Harben, of New York.
William C. Harrop, of New Jersey.
Arthur A. Hartman, of New Jersey.
Robert C. Hayes, of Maryland.
Harry W. Heikenen, of Minnesota.
Mrs. Hallye A. Heiland, of California.
Herschel Hancock Helm, of Kentucky.
William A. Helseth, of Florida.
Gregory Henderson, of Massachusetts.
Richard V. Hennes, of Illinois.
Gerrit J. W. Heyneker, of the District of Columbia.
Max E. Hodge, of New York.
Paul R. Hughes, of California.
Thomas J. Hunt, of New York.
Johannes V. Imhof, of California.
Joseph R. Jacyno, of Massachusetts.
Gordon D. Johnson, of California.
Gerald G. Jones, of California.
Howard D. Jones, of Oklahoma.
Walter T. Kamprad, of California.
George R. Kaplan, of Massachusetts.
William G. Keen, of Tennessee.
George R. Kenney, of Illinois.
Miss Virginia L. King, of Nebraska.
Richard F. Kitterman, of Maryland.
William S. Krason, of New York.
John Krizay, of Pennsylvania.
Lyle F. Lane, of Washington.
Miss Lillie Levine, of Iowa.
Miss Eleanor V. Levy, of the District of Columbia.
Samuel W. Lewis, of Texas.
Philip M. Lindsay, of California.
John L. Loughran, of Pennsylvania.
Miss Doris Meltana Luellen, of California.
Mrs. Andrée P. Maddox, of the District of Columbia.
LeRoy Makepeace, of Connecticut.
Donald C. Mansfield, of Virginia.
Robert J. Martens, of California.
Miss Roberta McKay, of Michigan.
Delano McKelvey, of the District of Columbia.
Warren M. McMurray, of Georgia.
John A. McVickar, of New York.
Jack C. Miklos, of Idaho.
Paul M. Miller, of Maryland.
Robert H. Miller, of Washington.
William B. Miller, of Ohio.
George C. Mitchell, of Nebraska.
George C. Moore, of California.
Laurent E. Morin, of New Hampshire.
Albert D. Moscotti, of New Jersey.
Charles Willis Naas, of Massachusetts.
Michael H. Newlin, of North Carolina.
Edward P. Noziglia, of New York.
Frank V. Ortiz, Jr., of New Mexico.
John B. Penfold, of Missouri.
Peter J. Peterson, of California.
Lyle R. Piepenburg, of Wisconsin.
Onesime L. Piette, of New Hampshire.
Clifford J. Quinlan, of Minnesota.
James A. Ramsey, of Massachusetts.
Miss Catherine A. Rock, of Pennsylvania.
Woodward Romine, of Indiana.
Miss Helen W. Rose, of Minnesota.
Robert W. Ross, of California.
Frederick H. Sacksteder, Jr., of New York.
Edwin E. Segall, of Nebraska.
Robert G. Shackleton, of Ohio.
Lawrence W. Sharpe, of Ohio.
Max L. Shimp, of Ohio.
Emery Peter Smith, of the District of Columbia.
Paul A. Smith, Jr., of Virginia.
Eldridge A. Snight, of Virginia.
Herbert Spielman, of Maryland.
Christopher A. Squire, of the District of Columbia.
William A. Stoltzfus, Jr., of New Jersey.
Miss Cherry C. Stubbs, of Minnesota.
Michael H. Styles, of Delaware.
Sidney V. Suhler, of Texas.
Ralph C. Talcott, of Tennessee.
Robert J. Tepper, of New York.
Erwin C. Thompson, of California.
Arthur T. Tienken, of New York.
William D. Toomey, of North Dakota.
Richard D. Vine, of New York.
Robert H. Wenzel, of Massachusetts.
Miss Josephine D. Wharton, of Florida.
Frank S. Wile, of Michigan.
Robert B. Williams, of Kentucky.
Daniel L. Williamson, Jr., of North Carolina.
J. Robert Wilson, of Pennsylvania.
William D. Wolle, of Iowa.
Samuel H. Young, of Florida.

The following-named Foreign Service officers for promotion from class 6 to class indicated:

Class 5

Paul S. Dwyer, of Ohio.
Chris C. Pappas, Jr., of New Hampshire.

To be class 5 and to be also consul of the United States of America

Miss Jane S. Abell, of New Hampshire.
Dwight R. Ambach, of Rhode Island.
Miss Leona M. Anderson, of Iowa.
Robert F. Andrew, of California.
George R. Andrews, of Tennessee.
Richard B. Andrews, of Illinois.
Sam G. Armstrong, of Texas.
James H. Bahti, of Michigan.
Richard W. Barham, of Texas.
Kyle D. Barnes, of Alabama.
Charles White Bass, of Tennessee.
Frederick O. Beattie, of Virginia.
Joel W. Biller, of Florida.
Martin S. Bowe, Jr., of New Hampshire.
Merritt C. Bragdon, Jr., of Maryland.
Michael Buzan, Jr., of Florida.
Byron E. Byron, of California.
Norman L. Cansler, of the District of Columbia.
Frank C. Carlucci, of Pennsylvania.
Robert W. Chase, of Massachusetts.
Ward Lee Christensen, of Oregon.
Joseph A. Cicala, of Connecticut.
Miss John M. Clark, of New York.
Charles B. Cook, 3d, of Pennsylvania.
Dwight M. Cramer, of Nebraska.
Miss Maurine Crane, of Utah.
Miss Jane A. Culpepper, of Louisiana.
Martin A. Dale, of New Jersey.
Allen C. Davis, of Tennessee.
Thomas W. Davis, Jr., of California.
John L. De Ornellas, of Alabama.
Willard A. De Pree, of Michigan.
Morris Draper, Jr., of California.
Frank D. Durfey, of Minnesota.
Richard W. Dye, of New York.
Harland H. Eastman, of Maine.
Raymond W. Eiselt, of California.
Michael E. Ely, of New York.
Edward B. Fenstermacher, of Pennsylvania.
Richard W. Finch, of Ohio.
Eric W. Fleisher, of Maryland.
Francis L. Foley, of Colorado.
Richard Forschner, of New Jersey.
Theodore T. Franzen, of Massachusetts.
C. Jefferson Frederick, of Washington.
Gerald A. Friedman, of Florida.
Jack Friedman, of the District of Columbia.
Miss Ellen Cavrisheff, of Texas.
Robert K. German, of Texas.
Miss Eleanor Van Trump Glenn, of Georgia.
Dirk Gleysteen, of Pennsylvania.
Roderick W. Grant, of California.
William B. Grant, of Massachusetts.
James M. Hall, of Washington.
Nea C. Hallett, Jr., of Texas.
C. Norman Hanley, of Washington.
Tobias Hartwick, of Montana.
Miss Edele P. Hauber, of Minnesota.
Frank J. Haughey, of California.
Mrs. Hertha Wegener Heiss, of New York.
Clarence J. Heissel, of California.
Brewster R. Hezenway, of New York.
Charles W. Henebry, of California.
Miss Frances D. Howell, of North Carolina.
James A. Howell, of Texas.
George O. Huey, of Illinois.
Mrs. Ellen G. Johnson, of Missouri.
Richard C. Johnson, of Massachusetts.
Miss Bernice T. Jones, of California.
Miss Betty-Jane Jones, of Wisconsin.
Robert V. Keeley, of Virginia.
Miss Alice E. Kinnare, of Illinois.
Roger Kirk, of Michigan.
Henry G. Krausse, Jr., of Texas.
P. Wesley Kriebel, of Pennsylvania.
Archibald Lappin, Jr., of California.
Burton Levin, of New York.
Orville M. Lewis, of Virginia.
Robert A. Lewis, of New York.
David E. L'Heureux, of New Hampshire.
Jack Liebof, of New York.
Miss Marcia N. Lindgren, of California.
Stephen Low, of Ohio.
Miss Helen K. Lyons, of California.
John W. MacDonald, Jr., of New York.
Julian F. MacDonald, Jr., of Ohio.
Byron P. Manfull, of Utah.
Ernest J. Mansmann, Jr., of Massachusetts.
Hugh J. McCall, of New York.
Franklin O. McCord, of Iowa.
John M. McIntyre, of Illinois.
Frazier Meade, of Virginia.
Calvin E. Mehlert, of California.
Miss Ruth G. Michaelson, of Michigan.
Curtis L. Mills, of West Virginia.
John L. Mills, of Georgia.

Leo J. Moser, of California.
Harry J. Mullin, Jr., of Kentucky.
Frederick E. Myers, of Ohio.
Philip M. Nagao, of California.
Ernest A. Nagy, of Ohio.
Leonardo Neher, of Illinois.
Miss Jeanne C. Nelson II, of Arizona.
Joseph B. Norbury, Jr., of New York.
Miss Geraldine M. Oliva, of Oregon.
Miss Nancy Ostrander, of Indiana.
John G. Panos, of Illinois.
Gabriel J. Paolozzi, of Nevada.
Grenfall L. Penhollow, of Nebraska.
Frederick P. Picard III, of Nebraska.
Arthur L. Price, of Illinois.
Leon Pukach, of Maryland.
Harry A. Quinn, of California.
Miss Nancy V. Rawls, of Georgia.
Owen W. Roberts, of New Jersey.
J. Leopoldo Romero, of California.
Miss Brynhild C. Rowberg, of Virginia.
Paul Sadler, of Tennessee.
Edward W. Schaefer, of Connecticut.
Alfred Schelp, of Missouri.
Miss Ruth Schneider, of New York.
Gerald Schwab, of New Jersey.
Mrs. Ree C. Shannon, of North Carolina.
Harry W. Shlaudeman, of California.
George W. Small, of West Virginia.
Miss Violet Smith, of New York.
Michael Smolik, of Oregon.
Raymond J. Swanson, of California.
Joseph Terranova, Jr., of Maryland.
Ross P. Titus, of Illinois.
Terence A. Todman, of the Virgin Islands.
Donald R. Toussaint, of California.
Miss Frances A. Usenik, of Minnesota.
Nicholas A. Veliotes, of California.
Leland W. Warner, Jr., of Kansas.
Mrs. Margaret P. A. Welsh, of Louisiana.
John P. Wentworth, of Washington.
John Quincy White, of Minnesota.
Frontis B. Wiggins, Jr., of Georgia.
Miss Suzanne S. Williams, of Ohio.
Victor Wolf, Jr., of New York.
Arthur H. Woodruff, of the District of Columbia.
Miss Olga M. Zhivkovitch, of Illinois.

The following-named Foreign Service officers for promotion from class 7 to class 6:

Anthony C. Albrecht, of Virginia.
J. Bruce Amstutz, of Massachusetts.
Andrew Andranovich, of Connecticut.
Oler A. Bartley, Jr., of Delaware.
Frank L. Berry, of Kentucky.
David A. Betts, of New York.
H. Eugene Bovis, of Florida.
Everett E. Briggs, of Maine.
Bazil W. Brown, Jr., of Pennsylvania.
Thomas R. Buchanan, of Illinois.
Charles R. Carlisle, of Florida.
Gordon Chase, of Massachusetts.
Richard S. Dawson, Jr., of California.
Miss Stella M. Deinzer, of New York.
Robert W. Drexler, of Wisconsin.
Thaddeus J. Figura, of Illinois.
Robert L. Flanegin, of Illinois.
Robert L. Funseth, of New York.
Paul F. Gardner, of Texas.
Miss Kathryn M. Geoghegan, of Colorado.
Ralph H. Graner, of New York.
Carl J. Grip, of California.
Walter V. Hall, of Virginia.
Charles R. Hartley, of the District of Columbia.
Roger P. Hipskind, of Illinois.
Thomas J. Hirschfeld, of New York.
Robert M. Immerman, of New York.
George W. Jaeger, of Missouri.
James T. Johnson, of Montana.
Donald A. Johnston, of New York.
Robert M. Kline, of Connecticut.
Tadao Kobayashi, of Hawaii.
Larry E. Lane, of Texas.
Robert Gerald Livingston, of Connecticut.
Alan Logan, of California.
Peter P. Lord, of Massachusetts.
James Gordon Lowenstein, of Connecticut.
Paul B. McCarty, of Massachusetts.
Robert Marden Miller, of California.
Jay P. Moffat, of New Hampshire.
Beauveau B. Nalle, of Virginia.
Edward R. O'Connor, of New York.
John L. Offner, of Pennsylvania.
Charles R. O'Hara, of Maryland.
Mark S. Pratt, of Rhode Island.
John D. Scanlan, of Minnesota.
David E. Simcox, of Kentucky.
Edward H. Springer, of Oregon.
Roger W. Sullivan, of Massachusetts.
Miss Thelma R. Thurtell, of California.
D. Dean Tyler, of California.
William Watts, of New York.
William B. Young, of New Hampshire.
Albert L. Zucca, of New York.

The following-named Foreign Service officers for promotion from class 8 to class 7:

Dan Alexander, of Washington.
George Aneiro, of Ohio.
Terrell E. Arnold, of California.
Thomas H. Baldridge, of Iowa.
David P. Banowetz, of Louisiana.
Thomas J. Barnes, of Minnesota.
John M. Barta, of California.
Eugene J. Bashe, of California.
Frank C. Bennett, Jr., of California.
Harry E. Bergold, Jr., of New York.
Miss Emma Bernardon, of New York.
Richard C. Bialock, of Oklahoma.
Nichele C. Bozzelli, of Ohio.
Carroll Brown, of Alabama.
Eugene B. Bruns, of Maryland.
Alanson G. Burt, of California.
Robert S. Cameron, of California.
William Clark, Jr., of California.
John R. Clingerman, of Michigan.
Richard T. Conroy, of Tennessee.
Goodwin Cooke, of New York.
Emmett M. Coxson, of Illinois.
John E. Crump, of Kansas.
Robert R. Dennis, of Pennsylvania.
Robert B. Dollison, of New York.
Miss Suzanne E. Dress, of Pennsylvania.
Robert W. Duemling, of California.
Ernest A. Duff, of Virginia.
William L. Dutton, Jr., of Iowa.
Richard A. Dwyer, of Indiana.
William J. Dyess, of Alabama.
Raymond C. Ewing, of California.
Miss Mary L. Eysenbach, of Connecticut.
Charles E. Finan, of Washington.
Miss Alta F. Fowler, of Virginia.
Howard V. Funk, Jr., of New York.
George A. Furness, Jr., of Massachusetts.
Herbert Donald Gelber, of New York.
Richard J. Gibson, of Michigan.
James L. Gorman, of Oregon.
John M. Gregory, Jr., of New York.
Philip J. Griffin, of the District of Columbia.
John C. Griffith, of Connecticut.
William H. Hallman, of Texas.
Miss Jo Ann Hallquist, of Wisconsin.
Clifford H. Harpe, of Tennessee.
Miss Ange Belle Hassinger, of Louisiana.
Ashley C. Hewitt, Jr., of California.
John W. Holmes, of Massachusetts.
James R. Holway, of Illinois.
Michael P. B. Hoyt, of Illinois.
Martin Jacobs, of New York.
Alton L. Jenkins, of Massachusetts.
Warren Mark Johnson, of California.
Peter E. Juge, of Louisiana.
Frederick T. Kelley, of Massachusetts.
Edson W. Kempe, of California.
James E. Kerr, Jr., of the District of Columbia.
Walter F. Keville II, of Ohio.
John W. Kimball, of California.
Robert Kurlander, of New York.
David C. Lacey, Jr., of Ohio.
Miss Morelle Lasky, of California.
Alan F. Lee, of Illinois.
Sam K. Lesher, of Colorado.
Melvin H. Levine, of Massachusetts.
Wingate Lloyd, of Pennsylvania.
Robert S. Lowen, of New York.
George Q. Lumsden, Jr., of New Jersey.
Edward J. Maguire, Jr., of California.
Edward J. Malonis, of Massachusetts.
Wade H. B. Matthews, of North Carolina.
Henry Ellis Mattox, of Mississippi.
James A. Mattson, of Minnesota.
W. Douglas McLain, Jr., of Illinois.
Noble M. Melencamp, of Kansas.
Stanley R. Miller, Jr., of Florida.
Herbert T. Mitchell, Jr., of North Carolina.
John C. Monjo, of Connecticut.
John T. Morgan, of Illinois.
Gottfried W. Moser, of New York.
Robert B. Oakley, of Louisiana.
Oscar J. Olson, Jr., of Texas.
Ronald D. Palmer, of Michigan.
Thomas J. Pape, of Texas.
Sydney E. Paulson, of Michigan.
George A. Pavlik, of Iowa.
John A. Perkins, of California.
Miss Emily Perreault, of Illinois.
Lawrence Pezzullo, of New York.
Homer R. Phelps, Jr., of New York.
Martin Polstein, of New York.
Dale M. Povenmire, of Ohio.
Frederick D. Purdy, of Pennsylvania.
Walter G. Ramsay, of Virginia.
William E. Rau, of Missouri.
Miss Rozanne L. Ridgway, of Minnesota.
George B. Roberts, Jr., of Pennsylvania.
John T. Rogerson, Jr., of Florida.
George M. Scanlan, of New York.
Orville H. Schmidt, of Minnesota.
Roger C. Schrader, of Missouri.
Glenn E. Schweitzer, of California.
Leslie Andrew Scott, of New York.
Arthur P. Shankle, Jr., of Texas.
David D. Shobe, of Illinois.
Robert Lee Shuler, of Virginia.
John P. Shumate, Jr., of California.
William L. Simmons, of Mississippi.
Clint E. Smith, of New Mexico.
Joseph L. Smith, of Indiana.
Walter Burges Smith II, of New York.
Wayne S. Smith, of California.
C. Richard Spurgin, of Illinois.
Linwood R. Starbird, of Maine.
Andrew L. Steigman, of New York.
Gerald M. Sutton, of California.
John J. Taylor, of Tennessee.
James M. Thomson, of Minnesota.
Thomas A. Thoreson, of Illinois.
Donald C. Tice, of Kansas.
Blaine C. Tueller, of Utah.
John T. Vanderveen, of California.
Leonard A. Warren, of California.
Ronald A. Webb, of California.
Benjamin Weiner, of New York.
Alfred J. White, of the District of Columbia.
Alfred W. Whiting, of Kansas.
James P. Willis, Jr., of California.
Dawson S. Wilson, of Florida.
Herbert Gilman Wing, of Pennsylvania.
Edward C. Woltman, Jr., of Indiana.
Brooks Wrampelmeier, of Ohio.
Edward E. Wright, of Louisiana.

The following-named persons for appointment as Foreign Service officers to the grade indicated:

Class 2, consul, and secretary in the diplomatic service of the United States of America

George Dolgin, of Maryland.

To class 3, consul, and secretary in the diplomatic service of the United States of America

Merrill M. Blevins, of Kentucky.
Horace F. Byrne, of New York.
Edward A. Dow, Jr., of New York.
Thomas H. Englesby, of the District of Columbia.
Elmer M. Falk, of Virginia.
Jorma L. Kaukonen, of California.
James F. Magdanz, of Virginia.
William J. Tonesk, of Alabama.
Paul A. Toussaint, of New Hampshire.
Mrs. Virginia C. Westfall, of Virginia.
Mrs. Doris S. Whitnack, of Virginia.

To class 4, consul, and secretary in the diplomatic service of the United States of America

John Royle Baxter, of Maryland.
George M. Bennsky, of Virginia.
Irving G. Cheslaw, of Maryland.

David S. Ennis, of Florida.
Edzard S. Hermberg, of California.
Murray E. Jackson, of Illinois.
John Church Renner, of Ohio.
W. John Wilson, of California.

To class 5, consul, and secretary in the diplomatic service of the United States of America

Lawrence H. Harris, of California.
Harry V. Ryder, Jr., of Pennsylvania.
Miss Elizabeth B. Tolman, of Massachusetts.

To class 6, vice consul of career, and secretary in the diplomatic service of the United States of America

Miss Bernice M. Kelly, of Texas.
Elwood J. McGuire, of Connecticut.
William G. Murphy, of Massachusetts.

To class 7, vice consul of career, and secretary in the diplomatic service of the United States of America

Burton M. Chadbourne, of the District of Columbia.
Miss Rose M. Dickson, of New York.
Lyman W. Priest, of Arkansas.
Miss Marjorie A. Sutton, of Colorado.
James A. Verreos, of Missouri.

To class 8, vice consul of career, and secretary in the diplomatic service of the United States of America

Morton I. Abramowitz, of Massachusetts.
Francesco J. Alberti, Jr., of California.
Scott I. Amour, of California.
Carl A. Bastiani, of Pennsylvania.
Calvin C. Berlin, of Ohio.
David E. Biltchik, of New York.
John A. Bushnell, of California.
David W. Carr, of Massachusetts.
Anthony S. Dalsimer, of New York.
V. Raymond Dickey, of South Dakota.
Richard A. Dugstad, of Virginia.
Jay P. Freres, of Illinois.
Miss Marlene W. Futterman, of New York.
George G. B. Griffin, of South Carolina.
Miss Lois Haase, of Missouri.
Gabriel C. Hanson, of Illinois.
Pierre N. Hartman, of Colorado.
Martin G. Heflin, of Florida.
David C. Holton, of Virginia.
Richard F. King, of Louisiana.
Anthony S. Kochanek, Jr., of New Jersey.
William E. Landfair, of Ohio.

To class 8, vice counsel of career, and secretary in the diplomatic service of the United States of America

Paul A. London, of New York.
David W. McClintock, of California.
Harry Macy, Jr., of Florida.
Miss Priscilla E. Mitchell, of Indiana.
Miss Sandra A. Nelson, of New Jersey.
Donathon C. Olliff, of Alabama.
Gerald G. Oplinger, of Pennsylvania.
Miss Allison Palmer, of New York.
Frederick J. Piotrow, of New York.
Allen Van Potts, of Utah.
Anthony C. E. Quainton, of Washington.
Thomas J. Roesch, of Ohio.
David Rowe, of Maryland.
Thomas J. Scanlon, of California.
Miss Marilyn M. Shepherd, of North Carolina.
Richard W. Smith, of New York.
Roger A. Sorenson, of Utah.
Frederic N. Spotts, of Massachusetts.
Dirck Teller, of Maryland.
Richard S. Thompson, of Washington.
George R. Tolles, of Ohio.
Gary L. Vyne, of Arizona.
Raymond J. Wach, of Ohio.
John D. Whiting, of Wisconsin.
William B. Whitman, Jr., of Illinois.
Roderick M. Wright, of California.

The following-named Foreign Service officer to class 8, vice consul of career, and secretary in the diplomatic service of the United States of America. (This nomination is submitted for the purpose of correcting an error in the nomination as submitted to the Senate on Aug. 4, 1959, and confirmed by the Senate on Aug. 12, 1959.)

Arthur J. Laemmerzahl, of New Jersey.

The following-named Foreign Service Reserve officers to the office indicated:

To be consul of the United States of America

Martin H. Armstrong, of Washington.
Willard B. Devlin, of Pennsylvania.
John A. Noon, of Maryland.
Edward Stansbury, of Connecticut.

To be consul and secretary in the diplomatic service of the United States of America

Richard P. Mitchell, of Pennsylvania.

To be vice consul of the United States of America

Maurice J. Gremillion, of Texas.
Russell S. Hibbs, of Missouri.
F. Raymond Senden, of California.

To be secretary in the diplomatic service of the United States of America

Richard T. Akins, of California.
Edwin U. C. Bohlen, of Maine.
G. Stanley Brown, of Oklahoma.
James P. Burke, of Maryland.
William A. Campbell, of California.
Harold C. Champeau, of Maryland.
Thomas J. Flores, Jr., of New York.
Joseph E. Lazarsky, of Virginia.
Robert D. Murphy, of Maryland.
Oliver M. Silsby, of Maryland.

The following-named Foreign Service staff officers to be consul of the United States of America:

Roger K. Ackley, of Maryland.
Arthur C. Bartlett, of Connecticut.
William L. Green, Jr., of North Carolina.
Preston Valien, of Tennessee.

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 18, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Corinthians 3: 9: *We are labourers together with God.*

Our Father God, we rejoice that in every age there have been those who lift up hands in prayer and find in Thee a refuge. Put into our hearts that restlessness that calls to Thee in the voice of love, of intercession, of thanksgiving.

Let not our hands be withered by the selfish apathy of indifference in this time of international tension, of misunderstanding, of fear. Rather, may they be stretched forth in loving service at Thy command.

Amid surrounding temptations, grant us, hour by hour, the strength to be Thy disciples. Open our hearts and minds to the needs of those in whose midst Thou hast placed us, that we may live among them as the salt of the earth.

Forgive our many failures to live worthily as Thy children. Grant each of us grace enabling us in thought, word, and deed, so to live that Thy kingdom may come and Thy will be done on earth as it is in heaven, through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

DISPENSING WITH CALENDAR WEDNESDAY NEXT WEEK

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SPECIAL ORDERS GRANTED FOR MAY 11

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that immediately preceding the special order granted me for May 11, the following Members may be permitted to address the House in this order: Mr. COOLEY, of North Carolina, for 30 minutes; Mr. POAGE, of Texas, for 30 minutes; and Mr. WHITTEN, of Mississippi, for 30 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRESERVE THE NATIONAL FORESTS

Mr. DOWDY. 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 Texas?

There was no objection.

Mr. DOWDY. Mr. Speaker, the national forests have become highly important to the economy of the areas in which they are situated. This is particularly true of the Seventh Congressional District of Texas, which I am honored to represent. Our national forests are highly developed and well managed. They provide large supplies of raw material for industry, and create employment for many people living in the area. A generous portion of the proceeds from timber sales is paid to the counties and school districts in lieu of taxes. In addition, the national forests provide recreation facilities, range, water conservation and wildlife preserves.

Periodically, and particularly in election years, these national forests in East Texas become a political football, as special interests seek to obtain ownership and control. This should not be.

The forests have been brought to the stage of near maximum production at the expense of the taxpayer. They are now paying a profit—one of few Government ventures that do show profit. For many reasons, these forests should be preserved for posterity. Need for them will increase, and their value will be greater with passing years. So long as I am a Member of Congress, I will continue to oppose any proposal to sell, give away or otherwise dispose of the national forests in our area. I am sure most of you feel the same way.